
By: **Senators Munson, Bromwell, Colburn, Collins, DeGrange, Hafer,
Haines, Harris, Hogan, Hooper, Lawlah, Madden, Middleton, Mooney,
Roesser, Stoltzfus, and Stone**

Introduced and read first time: January 23, 2001

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Sexual Offender Registry**

3 FOR the purpose of making certain persons immune from civil liability for the failure
4 to investigate or disclose information from a certain sexual offender registry;
5 requiring the Department of Public Safety and Correctional Services to post on
6 the Internet certain information about a registrant on a certain sexual offender
7 registry; requiring the Department to post on the Internet a photograph of a
8 registrant on a certain sexual offender registry; making the provisions of this
9 Act severable; and generally relating to the sexual offender registry.

10 BY adding to

11 Article - Courts and Judicial Proceedings
12 Section 5-806
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 2000 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article - Criminal Procedure
17 Section 11-717
18 Annotated Code of Maryland
19 (As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2001)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Courts and Judicial Proceedings**

23 5-806.

24 A REAL ESTATE BROKER, REAL ESTATE SALESPERSON, OR SELLER OR LESSOR
25 IN THE SALE OR LEASE OF REAL ESTATE IS NOT CIVILLY LIABLE FOR A FAILURE TO
26 INVESTIGATE OR DISCLOSE INFORMATION FROM THE SEXUAL OFFENDER REGISTRY

1 THAT IS MADE AVAILABLE UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL
2 PROCEDURE ARTICLE.

3

Article - Criminal Procedure

4 11-717.

5 (a) The Department shall make available to the public registration statements
6 or information about registration statements.

7 (b) (1) The Department [may] SHALL post on the Internet a current listing
8 of INFORMATION ABOUT each [registrant's name, crime, and other identifying
9 information] REGISTRANT.

10 (2) THE INFORMATION POSTED ON THE INTERNET ABOUT A
11 REGISTRANT SHALL INCLUDE THE REGISTRANT'S:

12 (I) NAME;

13 (II) ALIASES, IF ANY;

14 (III) CRIMES FOR WHICH THE REGISTRANT HAS BEEN CONVICTED,
15 GRANTED PROBATION BEFORE JUDGMENT, OR FOUND NOT CRIMINALLY
16 RESPONSIBLE;

17 (IV) DATE OF BIRTH;

18 (V) DATES OF DISPOSITION;

19 (VI) EYE COLOR;

20 (VII) HAIR COLOR;

21 (VIII) HEIGHT;

22 (IX) RACE;

23 (X) SEX;

24 (XI) STREET ADDRESS, INCLUDING ZIP CODE AND COUNTY; AND

25 (XII) WEIGHT.

26 (3) THE LISTING FOR A REGISTRANT SHALL INCLUDE A PHOTOGRAPH
27 OF THE REGISTRANT.

28 (c) The Department shall establish regulations to carry out this section.

29 SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this
30 Act or the application thereof to any person or circumstance is held invalid for any
31 reason in a court of competent jurisdiction, the invalidity does not affect other

1 provisions or any other application of this Act which can be given effect without the
2 invalid provision or application, and for this purpose the provisions of this Act are
3 declared severable.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2001.