

HOUSE BILL 1213

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2004 Regular Session
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By: **Delegate O'Donnell**

Introduced and read first time: February 13, 2004

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2004

CHAPTER_____

1 AN ACT concerning

2 **Megan's Law - Registration Statements of Offenders - Notification to**
3 **Surrounding Area**

4 FOR the purpose of requiring local law enforcement units to cause certain notices to
5 be published in certain newspapers of general circulation within a certain time
6 after receiving registration statements of child sexual offenders, sexual
7 offenders, sexually violent offenders, or sexually violent predators; making
8 clarifying changes; and generally relating to registration of child sexual
9 offenders, sexual offenders, sexually violent offenders, and sexually violent
10 predators.

11 BY repealing and reenacting, with amendments,
12 Article - Criminal Procedure
13 Section 11-709
14 Annotated Code of Maryland
15 (2001 Volume and 2003 Supplement)

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

18 **Article - Criminal Procedure**

19 11-709.

20 (a) Each year within 5 days after a child sexual offender completes the
21 registration requirements of § 11-707(a) of this subtitle, a local law enforcement unit
22 shall send notice of the child sexual offender's annual registration to the Department.

1 (b) (1) As soon as possible but not later than 5 working days after receiving
2 a registration statement of a child sexual offender, a local law enforcement unit shall
3 send written notice of the registration statement to the county superintendent, as
4 defined in § 1-101 of the Education Article, in the county where the child sexual
5 offender is to reside or where a child sexual offender who is not a resident of the State
6 will work or attend school.

7 (2) As soon as possible but not later than 5 working days after receiving
8 notice from the local law enforcement unit under paragraph (1) of this subsection, the
9 county superintendent shall send written notice of the registration statement to
10 principals of the schools under the superintendent's supervision that the
11 superintendent considers necessary to protect the students of a school from a child
12 sexual offender.

13 (c) A local law enforcement unit that receives a notice from a supervising
14 authority under this [section] SUBTITLE shall send a copy of the notice to the police
15 department, if any, of a municipal corporation if the registrant:

16 (1) is to reside in the municipal corporation after release; or

17 (2) escapes from a facility but resided in the municipal corporation
18 before being committed to the custody of a supervising authority.

19 (D) AS SOON AS POSSIBLE BUT NOT LATER THAN 5 DAYS AFTER RECEIVING A
20 COPY OF A REGISTRATION STATEMENT OF A REGISTRANT FROM A SUPERVISING
21 AUTHORITY, A LOCAL LAW ENFORCEMENT UNIT SHALL CAUSE TO BE PUBLISHED A
22 NOTICE OF THE REGISTRATION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE
23 COMMUNITY, UNLESS THE LAW ENFORCEMENT UNIT DETERMINES THAT THE
24 PUBLICATION OF THE NOTICE IS NOT IN THE INTEREST OF JUSTICE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
26 effect October 1, 2004.