

SENATE BILL 43

E2, E4

8lr0906

By: **Senator Stone**

Introduced and read first time: January 10, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Sexual Offender Registration Information – Re-Incarceration for New Crime**

3 FOR the purpose of requiring the Department of Public Safety and Correctional
4 Services to make available to the public a registration statement or information
5 about the registration statement of a registrant of the State sexual offender
6 registry who is re-incarcerated due to a conviction for a new crime during the
7 term of the registrant's registration; requiring information about the
8 registration statement of a certain registrant to include a notation indicating
9 that the registrant is incarcerated; and generally relating to the registration of
10 sexual offenders.

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Procedure
13 Section 11–717
14 Annotated Code of Maryland
15 (2001 Volume and 2007 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 11–717.

20 (a) (1) (I) The Department shall make available to the public
21 registration statements or information about registration statements.

22 (II) **SUBPARAGRAPH (I) OF THIS PARAGRAPH APPLIES**
23 **THROUGHOUT THE TERM OF REGISTRATION, INCLUDING ANY PERIOD DURING**
24 **WHICH A REGISTRANT IS RE-INCARCERATED DUE TO A CONVICTION FOR A NEW**
25 **CRIME.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Information about registration statements shall include, in plain
2 language that can be understood without special knowledge of the criminal laws of the
3 [State,] **STATE:**

4 **(I)** a description of the crime of the offender that is the basis for
5 the registration, excluding details that would identify the victim; **AND**

6 **(II) IN THE CASE OF A REGISTRANT WHO, DURING THE TERM**
7 **OF THE REGISTRANT'S REGISTRATION, IS RE-INCARCERATED DUE TO A**
8 **CONVICTION FOR A NEW CRIME, A NOTATION INDICATING THAT THE**
9 **REGISTRANT IS INCARCERATED.**

10 (b) The Department may post on the Internet a current listing of each
11 registrant's name, crime, and other identifying information.

12 (c) The Department, through an Internet posting of current registrants,
13 shall allow the public to electronically transmit information the public may have about
14 a registrant to the Department, a parole agent of a registrant, and the local law
15 enforcement unit where a registrant resides or where a registrant who is not a
16 resident of the State will work or attend school.

17 (d) The Department shall allow members of the public who live in the county
18 in which the registrant is to reside or where the registrant, if not a resident of the
19 State, will work or attend school, by request, to receive electronic mail notification of
20 the release from incarceration of a registered offender and the registration information
21 of the offender.

22 (e) The Department shall establish regulations to carry out this section.

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
24 **October 1, 2008.**