

# SENATE BILL 567

E2, E1

9lr2117

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By: **Senators Stone, Jacobs, Kittleman, and Robey**

Introduced and read first time: February 6, 2009

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Registered Offenders – Ban from Public Parks**

3 FOR the purpose of prohibiting a person who is required to register on a certain  
4 offender registry for a term of life from knowingly entering a public State or  
5 local park where children regularly gather; establishing a certain penalty;  
6 providing for the retroactive application of this Act; and generally relating to  
7 restrictions on registered offenders.

8 BY repealing and reenacting, without amendments,  
9 Article – Criminal Procedure  
10 Section 11–707  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume)

13 BY adding to  
14 Article – Criminal Procedure  
15 Section 11–728  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume)

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

20 **Article – Criminal Procedure**

21 11–707.

22 (a) (1) (i) A child sexual offender shall register in person every 6  
23 months with a local law enforcement unit for the term provided under paragraph (4) of  
24 this subsection.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Registration shall include a photograph that shall be  
2 updated at least once each year.

3 (2) (i) An offender and a sexually violent offender shall register in  
4 person every 6 months with a local law enforcement unit for the term provided under  
5 paragraph (4) of this subsection.

6 (ii) Registration shall include a photograph that shall be  
7 updated at least once each year.

8 (3) (i) A sexually violent predator shall register in person every 3  
9 months for the term provided under paragraph (4)(ii) of this subsection.

10 (ii) Registration shall include a photograph that shall be  
11 updated at least once each year.

12 (4) The term of registration is:

13 (i) 10 years; or

14 (ii) life, if:

15 1. the registrant is a sexually violent predator;

16 2. the registrant has been convicted of a sexually violent  
17 offense;

18 3. the registrant has been convicted of a violation of  
19 § 3-602 of the Criminal Law Article for commission of a sexual act involving  
20 penetration of a child under the age of 12 years; or

21 4. the registrant has been convicted of a prior crime as a  
22 child sexual offender, an offender, or a sexually violent offender.

23 (5) A registrant who is not a resident of the State shall register for the  
24 appropriate time specified in this subsection or until the registrant's employment,  
25 student enrollment, or transient status in the State ends.

26 (b) A term of registration described in this section shall be computed from:

27 (1) the last date of release;

28 (2) the date granted probation; or

29 (3) the date granted a suspended sentence.

1           **(A) A PERSON REQUIRED TO REGISTER FOR A TERM OF LIFE UNDER §**  
2 **11-707 OF THIS SUBTITLE MAY NOT KNOWINGLY ENTER A PUBLIC STATE OR**  
3 **LOCAL PARK WHERE CHILDREN REGULARLY GATHER.**

4           **(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY**  
5 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS**  
6 **OR A FINE NOT EXCEEDING \$10,000 OR BOTH.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
8 construed to apply retroactively to any person who was required to register under §  
9 11-704 of the Criminal Procedure Article on or before October 1, 2009.

10           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2009.