

HOUSE BILL 1194

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By: **Delegates Hecht, Bobo, Carr, G. Clagett, Dumais, Frick, Glenn, Hucker, Kullen, Lee, Montgomery, Murphy, Niemann, Rice, and Rudolph**
Introduced and read first time: February 18, 2010
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Registration of Sexual Offenders – Continuing Course**
3 **of Conduct**

4 FOR the purpose of adding to the definition of child sexual offender for the purpose of
5 a certain offender registry a person who has been convicted of a certain offense
6 of continuing course of conduct with a child; providing a certain term of
7 registration for certain child sexual offenders; providing for the application of
8 this Act; and generally relating to the registration of sexual offenders.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 11–701(c) and 11–707(a)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2009 Supplement)

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

16 **Article – Criminal Procedure**

17 11–701.

18 (c) “Child sexual offender” means a person who:

19 (1) has been convicted of violating **§ 3–315 OR** § 3–602 of the Criminal
20 Law Article;

21 (2) has been convicted of violating any of the provisions of the rape or
22 sexual offense statutes under §§ 3–303 through 3–307 of the Criminal Law Article for
23 a crime involving a child under the age of 15 years;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) has been convicted of violating the fourth degree sexual offense
2 statute under § 3–308 of the Criminal Law Article for a crime involving a child under
3 the age of 15 years and has been ordered by the court to register under this subtitle;

4 (4) has been convicted in another state or in a federal, military, or
5 Native American tribal court of a crime that, if committed in this State, would
6 constitute one of the crimes listed in items (1) and (2) of this subsection; or

7 (5) (i) has been adjudicated delinquent for an act involving a
8 victim under the age of 15 years that would constitute a violation of § 3–303, § 3–304,
9 § 3–305, or § 3–306 of the Criminal Law Article if committed by an adult; and

10 (ii) meets the requirements for registration under § 11–704(c) of
11 this subtitle.

12 11–707.

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

16 (ii) Registration shall include a photograph that shall be
17 updated every 6 months.

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

21 (ii) Registration shall include a photograph that shall be
22 updated every 6 months.

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

25 (ii) Registration shall include a photograph that shall be
26 updated every 6 months.

27 (4) The term of registration is:

28 (i) except as provided in items (ii) and (iii) of this paragraph, 10
29 years;

30 (ii) except as provided in item (iii) of this paragraph, the life of
31 the registrant, if:

32 1. the registrant is a sexually violent predator;

