

HOUSE BILL 1442

E2, E4

EMERGENCY BILL

0lr3430

By: **Delegate Smigiel**

Introduced and read first time: February 24, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Sexual Offender Registry – Posting of Information on**
3 **Internet**

4 FOR the purpose of requiring the Department of Public Safety and Correctional
5 Services to post on the Internet a current listing of certain information provided
6 by sexual offenders in certain registration statements; making this Act an
7 emergency measure; and generally relating to the sexual offender registry.

8 BY repealing and reenacting, without amendments,
9 Article – Criminal Procedure
10 Section 11–706(a)
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Criminal Procedure
15 Section 11–717
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2009 Supplement)

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 11–706.

22 (a) A registration statement shall include:

23 (1) the registrant’s full name, including any suffix, and address;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) for a registrant under § 11-704(a)(7)(i) of this subtitle or
2 who is on work release, the registrant's place of employment; or

3 (ii) for a registrant under § 11-704(a)(7)(ii) of this subtitle, the
4 registrant's place of educational institution or school enrollment;

5 (3) (i) for a registrant enrolled, or expecting to enroll, in an
6 institution of higher education in the State as a full-time or part-time student, the
7 name and address of the institution of higher education; or

8 (ii) for a registrant who carries on employment, or expects to
9 carry on employment, at an institution of higher education in the State, the name and
10 address of the institution of higher education;

11 (4) a description of the crime for which the registrant was convicted;

12 (5) the date that the registrant was convicted;

13 (6) the jurisdiction in which the registrant was convicted;

14 (7) a list of any aliases, former names, electronic mail addresses,
15 computer log-in or screen names or identities, instant-messaging identities, and
16 electronic chat room identities that the registrant has used;

17 (8) the registrant's Social Security number;

18 (9) any other name by which the registrant has been legally known;

19 (10) a copy of the registrant's valid driver's license or identification
20 card;

21 (11) the license plate number and description of any vehicle owned or
22 regularly operated by the registrant; and

23 (12) the registrant's signature and date signed.

24 11-717.

25 (a) (1) The Department shall make available to the public registration
26 statements or information about registration statements.

27 (2) Information about registration statements shall include, in plain
28 language that can be understood without special knowledge of the criminal laws of the
29 State, a description of the crime of the offender that is the basis for the registration,
30 excluding details that would identify the victim.

1 (b) The Department [may] **SHALL** post on the Internet a current listing of
2 each registrant's name, crime, and other identifying information, **INCLUDING ALL**
3 **INFORMATION PROVIDED BY THE SEXUAL OFFENDER THAT IS DESCRIBED IN §**
4 **11-706(A)(1) THROUGH (7), (9), AND (11) OF THIS SUBTITLE.**

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

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

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

16 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act is an emergency
17 measure, is necessary for the immediate preservation of the public health or safety,
18 has been passed by a ye and nay vote supported by three-fifths of all the members
19 elected to each of the two Houses of the General Assembly, and shall take effect from
20 the date it is enacted.