

# SENATE BILL 280

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By: **The President (By Request - Administration) and Senators Astle, Brinkley, Brochin, Colburn, DeGrange, Della, Edwards, Exum, Forehand, Garagiola, Harrington, Jacobs, Jones, Kasemeyer, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Miller, Munson, Muse, Peters, Pugh, Raskin, Robey, Simonaire, Stone, and Zirkin**

Introduced and read first time: January 22, 2010

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Sexual Offenders - Lifetime Supervision**

3 FOR the purpose of repealing the requirement that the Maryland Parole Commission  
4 administer extended sexual offender parole supervision; altering certain  
5 provisions relating to extended sexual offender supervision of certain offenders;  
6 altering the term for certain extended sexual offender supervision; requiring a  
7 sentence for certain persons to include a term of lifetime sexual offender  
8 supervision; altering the term of lifetime sexual offender supervision;  
9 establishing that lifetime sexual offender supervision is imposed on a defendant  
10 for a crime committed on or after a certain date; requiring a certain sentencing  
11 court to impose certain conditions of lifetime sexual offender supervision and to  
12 advise certain persons of the conditions of lifetime sexual offender supervision;  
13 requiring the sentencing court to order a presentence investigation under  
14 certain circumstances; authorizing a certain sentencing court to adjust certain  
15 conditions of lifetime sexual offender supervision under certain circumstances;  
16 establishing a certain offense and penalty for violation of lifetime sexual  
17 offender supervision; authorizing certain procedures for violations of lifetime  
18 sexual offender supervision; requiring certain judges to hear certain violations  
19 and certain petitions; authorizing a certain sentencing court to deny a certain  
20 petition under certain circumstances; providing for the discharge of certain  
21 persons from lifetime sexual offender supervision under certain circumstances;  
22 requiring a certain sentencing court to hear and adjudicate certain petitions;  
23 altering the composition of a certain sexual offender management team;  
24 requiring certain progress reports of a certain sexual offender management  
25 team; authorizing the Department of Public Safety and Correctional Services to  
26 adopt certain regulations; making a certain technical correction; deleting

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 certain terms; making certain conforming changes; and generally relating to  
2 sexual offender supervision.

3 BY repealing and reenacting, with amendments,  
4 Article – Correctional Services  
5 Section 7–206  
6 Annotated Code of Maryland  
7 (2008 Replacement Volume and 2009 Supplement)

8 BY repealing and reenacting, with amendments,  
9 Article – Criminal Procedure  
10 Section 11–701 and 11–723 through 11–726  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2009 Supplement)

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

15 **Article – Correctional Services**

16 7–206.

17 The Commission shall:

18 (1) evaluate information on the activities of parolees that the Division  
19 of Parole and Probation reports;

20 (2) issue warrants or delegate to the Director of the Division of Parole  
21 and Probation the authority to issue warrants to retake parolees who are charged with  
22 violating a condition of parole;

23 (3) review and make recommendations to the Governor:

24 (i) concerning parole of an inmate under a sentence of life  
25 imprisonment; and

26 (ii) if requested by the Governor, concerning a pardon,  
27 commutation of sentence, or other clemency;

28 (4) establish and modify general policy governing the conduct of  
29 parolees; **AND**

30 (5) arrange for psychiatric or psychological examination of applicants  
31 for parole whenever the Commission believes that an examination will better enable it  
32 to decide on the advisability of parole and include the expense for the examination in  
33 its annual budget[]; and

1 (6) administer extended sexual offender parole supervision under Title  
2 11, Subtitle 7 of the Criminal Procedure Article].

### 3 Article – Criminal Procedure

4 11–701.

5 (a) In this subtitle the following words have the meanings indicated.

6 (b) “Board” means the Sexual Offender Advisory Board.

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

8 (1) has been convicted of violating § 3–602 of the Criminal Law  
9 Article;

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

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

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

19 (5) (i) has been adjudicated delinquent for an act involving a  
20 victim under the age of 15 years that would constitute a violation of § 3–303, § 3–304,  
21 § 3–305, or § 3–306 of the Criminal Law Article if committed by an adult; and

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

24 (d) [“Commission” means the Maryland Parole Commission.

25 (e)] “Employment” means an occupation, job, or vocation that is full time or  
26 part time for a period exceeding 14 days or for an aggregate period exceeding 30 days  
27 during a calendar year, whether financially compensated, volunteered, or for the  
28 purpose of government or educational benefit.

29 [(f) “Extended parole supervision offender” means a person who:

30 (1) is a sexually violent predator;

1           (2)     has been convicted of a violation of § 3–303, § 3–304, § 3–305, §  
2 3–306(a)(1) or (2), or § 3–307(a)(1) or (2) of the Criminal Law Article;

3           (3)     has been convicted of a violation of § 3–309, § 3–310, or § 3–311 of  
4 the Criminal Law Article or an attempt to commit a violation of § 3–306(a)(1) or (2) of  
5 the Criminal Law Article;

6           (4)     has been convicted of a violation of § 3–602 of the Criminal Law  
7 Article for commission of a sexual act involving penetration of a child under the age of  
8 12 years; or

9           (5)     has been convicted more than once of a crime as a child sexual  
10 offender, an offender, or a sexually violent offender.]

11           **[(g) (E)**     “Local law enforcement unit” means the law enforcement unit in a  
12 county that has been designated by resolution of the county governing body as the  
13 primary law enforcement unit in the county.

14           **[(h) (F)**     “Offender” means a person who is ordered by a court to register  
15 under this subtitle and who:

16           (1)     has been convicted of violating § 3–503 of the Criminal Law  
17 Article;

18           (2)     has been convicted of violating § 3–502 of the Criminal Law Article  
19 or the fourth degree sexual offense statute under § 3–308 of the Criminal Law Article,  
20 if the victim is under the age of 18 years;

21           (3)     has been convicted of the common law crime of false imprisonment,  
22 if the victim is under the age of 18 years and the person is not the victim’s parent;

23           (4)     has been convicted of a crime that involves soliciting a person  
24 under the age of 18 years to engage in sexual conduct;

25           (5)     has been convicted of violating the child pornography statute  
26 under § 11–207 of the Criminal Law Article;

27           (6)     has been convicted of violating any of the prostitution and related  
28 crimes statutes under Title 11, Subtitle 3 of the Criminal Law Article if the intended  
29 prostitute or victim is under the age of 18 years;

30           (7)     has been convicted of a crime that involves conduct that by its  
31 nature is a sexual offense against a person under the age of 18 years;

32           (8)     has been convicted of an attempt to commit a crime listed in items  
33 (1) through (7) of this subsection; or

1           (9) has been convicted in another state or in a federal, military, or  
2 Native American tribal court of a crime that, if committed in this State, would  
3 constitute one of the crimes listed in items (1) through (8) of this subsection.

4           **[(i)] (G)** (1) Except as otherwise provided in this subsection, “release”  
5 means any type of release from the custody of a supervising authority.

6           (2) “Release” means:

7                   (i) release on parole;

8                   (ii) mandatory supervision release;

9                   (iii) release from a correctional facility with no required period of  
10 supervision;

11                   (iv) work release;

12                   (v) placement on home detention; and

13                   (vi) the first instance of entry into the community that is part of  
14 a supervising authority’s graduated release program.

15           (3) “Release” does not include:

16                   (i) an escape; or

17                   (ii) leave that is granted on an emergency basis.

18           **[(j)] (H)** “Sexually violent offender” means a person who:

19                   (1) has been convicted of a sexually violent offense;

20                   (2) has been convicted of an attempt to commit a sexually violent  
21 offense; or

22                   (3) (i) has been adjudicated delinquent for an act involving a  
23 victim 15 years of age or older that would constitute a violation of § 3–303, § 3–304, §  
24 3–305, or § 3–306 of the Criminal Law Article if committed by an adult; and

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

27           **[(k)] (I)** “Sexually violent offense” means:

28                   (1) a violation of §§ 3–303 through 3–307 or §§ 3–309 through 3–312 of  
29 the Criminal Law Article;

1           (2)     assault with intent to commit rape in the first or second degree or  
2 a sexual offense in the first or second degree as prohibited on or before September 30,  
3 1996, under former Article 27, § 12 of the Code; or

4           (3)     a crime committed in another state or in a federal, military, or  
5 Native American tribal jurisdiction that, if committed in this State, would constitute  
6 one of the crimes listed in item (1) or (2) of this subsection.

7           **[(l)] (J)**     “Sexually violent predator” means:

8           (1)     a person who:

9                   (i)     is convicted of a sexually violent offense; and

10                   (ii)    has been determined in accordance with this subtitle to be at  
11 risk of committing another sexually violent offense; or

12           (2)     a person who is or was required to register every 90 days for life  
13 under the laws of another state or a federal, military, or Native American tribal  
14 jurisdiction.

15           **[(m)] (K)**     “Supervising authority” means:

16           (1)     the Secretary, if the registrant is in the custody of a correctional  
17 facility operated by the Department;

18           (2)     the administrator of a local correctional facility, if the registrant,  
19 including a participant in a home detention program, is in the custody of the local  
20 correctional facility;

21           (3)     the court that granted the probation or suspended sentence, except  
22 as provided in item (12) of this subsection, if the registrant is granted probation before  
23 judgment, probation after judgment, or a suspended sentence;

24           (4)     the Director of the Patuxent Institution, if the registrant is in the  
25 custody of the Patuxent Institution;

26           (5)     the Secretary of Health and Mental Hygiene, if the registrant is in  
27 the custody of a facility operated by the Department of Health and Mental Hygiene;

28           (6)     the court in which the registrant was convicted, if the registrant’s  
29 sentence does not include a term of imprisonment or if the sentence is modified to time  
30 served;

31           (7)     the Secretary, if the registrant is in the State under terms and  
32 conditions of the Interstate Compact for Adult Offender Supervision, set forth in Title

1 6, Subtitle 2 of the Correctional Services Article, or the Interstate Corrections  
2 Compact, set forth in Title 8, Subtitle 6 of the Correctional Services Article;

3 (8) the Secretary, if the registrant moves to this State and was  
4 convicted in another state of a crime that would require the registrant to register if the  
5 crime was committed in this State;

6 (9) the Secretary, if the registrant moves to this State from another  
7 state where the registrant was required to register;

8 (10) the Secretary, if the registrant is convicted in a federal, military, or  
9 Native American tribal court and is not under supervision by another supervising  
10 authority;

11 (11) the Secretary, if the registrant is not a resident of this State and  
12 has been convicted in another state or by a federal, military, or Native American tribal  
13 court;

14 (12) the Director of Parole and Probation, if the registrant is under the  
15 supervision of the Division of Parole and Probation; or

16 (13) the Secretary of Juvenile Services, if the registrant was a minor at  
17 the time the act was committed for which registration is required.

18 [(n)] (L) "Transient" means a nonresident registrant who enters a county of  
19 this State with the intent to be in the State or is in the State for a period exceeding 14  
20 days or for an aggregate period exceeding 30 days during a calendar year for a purpose  
21 other than employment or to attend an educational institution.

22 11-723.

23 (a) Except where a term of natural life without the possibility of parole is  
24 imposed, a sentence for [an extended parole supervision offender] **THE FOLLOWING**  
25 **PERSONS** shall include a term of [extended] **LIFETIME** sexual offender [parole]  
26 supervision:

27 (1) **A PERSON WHO IS A SEXUALLY VIOLENT PREDATOR;**

28 (2) **A PERSON WHO HAS BEEN CONVICTED OF A VIOLATION OF §**  
29 **3-303, § 3-304, § 3-305, § 3-306(A)(1) OR (2), OR § 3-307(A)(1) OR (2) OF THE**  
30 **CRIMINAL LAW ARTICLE;**

31 (3) **A PERSON WHO HAS BEEN CONVICTED OF A VIOLATION OF §**  
32 **3-309, § 3-310, OR § 3-311 OF THE CRIMINAL LAW ARTICLE OR AN ATTEMPT TO**  
33 **COMMIT A VIOLATION OF § 3-306(A)(1) OR (2) OF THE CRIMINAL LAW ARTICLE;**

1           **(4) A PERSON WHO HAS BEEN CONVICTED OF A VIOLATION OF §**  
2 **3-602 OF THE CRIMINAL LAW ARTICLE FOR THE COMMISSION OF A SEXUAL ACT**  
3 **INVOLVING PENETRATION OF A CHILD UNDER THE AGE OF 12 YEARS; AND**

4           **(5) A PERSON WHO HAS BEEN CONVICTED MORE THAN ONCE OF A**  
5 **CRIME AS A CHILD SEXUAL OFFENDER, AN OFFENDER, OR A SEXUALLY VIOLENT**  
6 **OFFENDER.**

7           (b) The term of [extended] **LIFETIME** sexual offender [parole] supervision  
8 [for a defendant sentenced] **IMPOSED ON A PERSON FOR A CRIME COMMITTED** on  
9 or after August 1, 2006, shall:

10           (1) be [a minimum of 3 years to a maximum of] a term of life; and

11           (2) commence on the expiration of the later of any term of  
12 imprisonment, probation, parole, or mandatory supervision.

13           **(C) (1) THE SENTENCING COURT SHALL IMPOSE SPECIAL**  
14 **CONDITIONS OF LIFETIME SEXUAL OFFENDER SUPERVISION ON THE PERSON AT**  
15 **THE TIME OF SENTENCING AND ADVISE THE PERSON OF THE LENGTH,**  
16 **CONDITIONS, AND CONSECUTIVE NATURE OF THAT SUPERVISION.**

17           **(2) BEFORE IMPOSING SPECIAL CONDITIONS, THE SENTENCING**  
18 **COURT SHALL ORDER A PRESENTENCE INVESTIGATION IN ACCORDANCE WITH §**  
19 **6-112 OF THE CORRECTIONAL SERVICES ARTICLE.**

20           **(3) THE CONDITIONS OF LIFETIME SEXUAL OFFENDER**  
21 **SUPERVISION MAY INCLUDE:**

22                   **(I) MONITORING THROUGH GLOBAL POSITIONING**  
23 **SATELLITE TRACKING OR EQUIVALENT TECHNOLOGY;**

24                   **(II) WHERE APPROPRIATE AND FEASIBLE, RESTRICTING A**  
25 **PERSON FROM LIVING IN PROXIMITY TO OR LOITERING NEAR SCHOOLS, FAMILY**  
26 **DAY CARE CENTERS, CHILD CARE CENTERS, AND OTHER PLACES USED**  
27 **PRIMARILY BY MINORS;**

28                   **(III) RESTRICTING A PERSON FROM OBTAINING**  
29 **EMPLOYMENT OR FROM PARTICIPATING IN AN ACTIVITY THAT WOULD BRING**  
30 **THE PERSON INTO CONTACT WITH MINORS;**

31                   **(IV) REQUIRING A PERSON TO PARTICIPATE IN A CERTIFIED**  
32 **SEXUAL OFFENDER TREATMENT PROGRAM;**



1                   (V)    PROHIBITING A PERSON FROM USING ILLICIT DRUGS OR  
2 ALCOHOL;

3                   (VI) AUTHORIZING A PAROLE AND PROBATION AGENT TO  
4 ACCESS THE PERSON'S PERSONAL COMPUTER TO CHECK FOR MATERIAL  
5 RELATING TO SEXUAL RELATIONS WITH MINORS;

6                   (VII) REQUIRING A PERSON TO TAKE REGULAR POLYGRAPH  
7 EXAMINATIONS;

8                   (VIII) PROHIBITING A PERSON FROM CONTACTING SPECIFIC  
9 INDIVIDUALS OR CATEGORIES OF INDIVIDUALS; AND

10                  (IX)  ANY OTHER CONDITIONS DEEMED APPROPRIATE BY THE  
11 SENTENCING COURT.

12                  (4)    THE SENTENCING COURT MAY ADJUST THE SPECIAL  
13 CONDITIONS OF LIFETIME SEXUAL OFFENDER SUPERVISION, IN CONSULTATION  
14 WITH THE PERSON'S SEXUAL OFFENDER MANAGEMENT TEAM.

15 11-724.

16                  [(a)  The Maryland Parole Commission shall:

17                   (1)    enter into and sign extended sexual offender parole supervision  
18 agreements with registrants sentenced to supervision under § 11-723 of this subtitle  
19 that set out specific conditions of supervision;

20                   (2)    hear and adjudicate cases of extended sexual offender parole  
21 supervision violations; and

22                   (3)    impose sanctions for extended sexual offender parole supervision  
23 violations, including additional restrictive conditions.]

24                  (A)    A PERSON SUBJECT TO LIFETIME SEXUAL OFFENDER SUPERVISION  
25 MAY NOT KNOWINGLY OR WILLFULLY VIOLATE THE CONDITIONS OF THE  
26 LIFETIME SEXUAL OFFENDER SUPERVISION IMPOSED UNDER § 11-723 OF THIS  
27 SUBTITLE.

28                  (B)    A PERSON WHO VIOLATES ANY CONDITIONS IMPOSED UNDER §  
29 11-723 OF THIS SUBTITLE:

30                   (1)    FOR A FIRST OFFENSE, IS GUILTY OF A MISDEMEANOR AND ON  
31 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A  
32 FINE NOT EXCEEDING \$5,000 OR BOTH; AND

1           **(2) FOR A SECOND OR SUBSEQUENT OFFENSE, IS GUILTY OF A**  
2 **FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING**  
3 **10 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.**

4           **[(b) (C)** Imprisonment for **[an extended] A LIFETIME** sexual offender  
5 **[parole]** supervision violation is not subject to diminution credits.

6           **[(c)** Specific conditions of extended sexual offender parole supervision shall  
7 commence upon release of the extended parole supervision offender from incarceration  
8 or imposition of probation on the extended parole supervision offender and may  
9 include:

10           (1) monitoring a registrant through global positioning satellite  
11 tracking technology;

12           (2) where appropriate and feasible, restricting a registrant from living  
13 in proximity to or loitering near schools, family day care centers, child care centers,  
14 and other places primarily used by minors;

15           (3) restricting a registrant from obtaining employment or from  
16 participating in an activity that would bring the registrant into contact with minors;

17           (4) requiring a registrant to participate in a certified sexual offender  
18 treatment program;

19           (5) prohibiting a registrant from using illicit drugs or alcohol;

20           (6) authorizing parole agents to access the personal computer of a  
21 registrant to check for material relating to sexual relations with minors;

22           (7) requiring a registrant to take regular polygraph examinations; and

23           (8) prohibiting a registrant from contacting specific individuals or  
24 categories of individuals.]

25           **(D) (1) A VIOLATION OF SUBSECTION (A) OF THIS SECTION DOES NOT**  
26 **DISCHARGE A PERSON FROM LIFETIME SEXUAL OFFENDER SUPERVISION.**

27           **(2) ON RELEASE FROM A SENTENCE IMPOSED UNDER**  
28 **SUBSECTION (B) OF THIS SECTION, A PERSON REMAINS ON LIFETIME SEXUAL**  
29 **OFFENDER SUPERVISION, SUBJECT TO THE ORIGINAL TERMS OF SUPERVISION,**  
30 **UNTIL DISCHARGED UNDER SUBSECTION (G) OF THIS SECTION.**

31           **(E) DURING THE PERIOD OF LIFETIME SEXUAL OFFENDER**  
32 **SUPERVISION, THE COURT MAY:**

1           **(1) ON WRITTEN CHARGES UNDER OATH OR ON VIOLATION OF A**  
2 **CONDITION OF SUPERVISION, ISSUE A WARRANT REQUIRING THE PERSON**  
3 **UNDER SUPERVISION TO BE BROUGHT OR TO APPEAR BEFORE THE JUDGE**  
4 **ISSUING THE WARRANT:**

5                   **(I) TO ANSWER THE CHARGE OF VIOLATION OF CONDITIONS**  
6 **OF SUPERVISION; AND**

7                   **(II) TO BE PRESENT FOR THE SETTING OF A HEARING DATE**  
8 **FOR THAT CHARGE;**

9           **(2) REMAND THE PERSON TO A CORRECTIONAL FACILITY OR**  
10 **RELEASE THE PERSON WITH OR WITHOUT BAIL PENDING THE HEARING OR**  
11 **DETERMINATION OF THE CHARGE; AND**

12           **(3) IF AT THE HEARING THE COURT FINDS THAT THE PERSON**  
13 **VIOLATED A CONDITION OF SUPERVISION, IMPOSE A SENTENCE AS PRESCRIBED**  
14 **IN SUBSECTION (B) OF THIS SECTION.**

15           **(F) (1) THE JUDGE WHO ORIGINALLY IMPOSED THE LIFETIME**  
16 **SEXUAL OFFENDER SUPERVISION SHALL HEAR ANY CHARGE OF VIOLATION OF**  
17 **CONDITIONS OF SUPERVISION.**

18           **(2) IF THE JUDGE HAS BEEN REMOVED FROM OFFICE, HAS DIED**  
19 **OR RESIGNED, OR IS OTHERWISE INCAPACITATED, ANOTHER JUDGE MAY ACT IN**  
20 **THE MATTER.**

21           **[(d)] (G) (1) The [Commission] SENTENCING COURT shall hear and**  
22 **adjudicate a petition for discharge from [extended] LIFETIME sexual offender [parole]**  
23 **supervision [from a registrant].**

24           **(2) A [registrant] PERSON may file a petition for discharge after**  
25 **-serving at least 3 years of extended sexual offender [parole] supervision.**

26           **(3) If a petition for discharge is denied, a [registrant] PERSON may**  
27 **not renew the petition for a minimum of 1 year.**

28           **(4) A petition for discharge shall include:**

29                   **(i) a risk assessment of the [registrant] PERSON conducted by**  
30 **a [certified] sexual offender treatment provider within 3 months before the date of the**  
31 **filing of the petition; and**

1 (ii) a recommendation regarding the discharge of the  
2 [registrant] PERSON from the sexual offender management team.

3 (5) (I) The [Commission] SENTENCING COURT MAY DENY A  
4 PETITION FOR DISCHARGE WITHOUT A HEARING.

5 (II) THE COURT may not discharge a [registrant] PERSON from  
6 [extended] LIFETIME sexual offender [parole] supervision unless the [Commission  
7 determines] COURT MAKES A FINDING ON THE RECORD that the petitioner no  
8 longer poses an unacceptable risk to community safety.

9 (6) (I) THE JUDGE WHO ORIGINALLY IMPOSED THE LIFETIME  
10 SEXUAL OFFENDER SUPERVISION SHALL HEAR A PETITION FOR DISCHARGE.

11 (II) IF THE JUDGE HAS BEEN REMOVED FROM OFFICE, HAS  
12 DIED OR RESIGNED, OR IS OTHERWISE INCAPACITATED, ANOTHER JUDGE MAY  
13 ACT IN THE MATTER.

14 [(e) The Commission shall have all of the powers set forth in § 7–205 of the  
15 Correctional Services Article for the purpose of carrying out the duties of the  
16 Commission under this subtitle.

17 (f) The Commission shall appoint an administrator to coordinate the  
18 requirements of extended sexual offender parole supervision under this subtitle.]

19 11–725.

20 (a) Under the supervision of the Division of Parole and Probation, a sexual  
21 offender management team shall conduct [extended] LIFETIME sexual offender  
22 [parole] supervision and the supervision of probation, parole, or mandatory release of  
23 a [registrant] PERSON subject to [extended] LIFETIME sexual offender [parole]  
24 supervision.

25 (b) A sexual offender management team:

26 (1) consists of:

27 (i) a specially trained parole AND PROBATION agent; and

28 (ii) a representative of a [certified sex offender treatment  
29 provider] SEXUAL OFFENDER TREATMENT PROGRAM OR PROVIDER; and

30 (2) may include:

31 (i) victim advocates OR VICTIM SERVICE PROVIDERS WITH  
32 RECOGNIZED EXPERTISE IN SEXUAL ABUSE AND VICTIMIZATION;

- 1 (ii) faith counselors;
- 2 (iii) employment counselors;
- 3 (iv) community leaders; [and]
- 4 (v) a [polygrapher] **POLYGRAPH EXAMINER WITH**  
5 **RECOGNIZED EXPERTISE IN SEXUAL OFFENDER-SPECIFIC POLYGRAPH**  
6 **EXAMINATION;**
- 7 **(VI) A LAW ENFORCEMENT OFFICER;**
- 8 **(VII) AN ASSISTANT STATE'S ATTORNEY;**
- 9 **(VIII) AN ASSISTANT PUBLIC DEFENDER; AND**
- 10 **(IX) A FOREIGN OR SIGN LANGUAGE INTERPRETER.**

11 (c) (1) A sexual offender management team shall submit a progress report  
12 on each [registrant] **PERSON UNDER SUPERVISION** to the [Commission]  
13 **SENTENCING COURT** once every 6 months.

14 (2) Unless disclosure of a report would be in violation of laws  
15 regarding confidentiality of treatment records, a sexual offender management team  
16 shall provide copies of each progress report to local law enforcement units of the  
17 county in which the [registrant] **PERSON** resides [or where a sexual offender who is  
18 not a resident of the State will work or attend school].

19 11-726.

20 The [Commission, with the advice of the Sexual Offender Advisory Board  
21 established under § 1-401 of the Public Safety Article,] **DEPARTMENT OF PUBLIC**  
22 **SAFETY AND CORRECTIONAL SERVICES** shall adopt regulations necessary to carry  
23 out the duties of the [Commission under § 11-724 of] **DEPARTMENT RELATING TO**  
24 **LIFETIME SEXUAL OFFENDER SUPERVISION UNDER** this subtitle.

25 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
26 October 1, 2010.