

# HOUSE BILL 1403

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3lr3248  
CF SB 635

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By: **Delegate Carter**

Introduced and read first time: February 15, 2013

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Sex Offender – Entry Restrictions**

3 FOR the purpose of providing that a certain restriction against a registered sex  
4 offender entering certain real property does not apply if the registrant's ward is  
5 a student or receives child care under certain circumstances or the registrant  
6 enters the property for the purpose of attending or participating in worship or  
7 other activity sponsored by a house of worship under certain circumstances; and  
8 generally relating to sex offenders.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Procedure  
11 Section 11–722(a)  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2012 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 11–722.

18 (a) This section does not apply to a registrant who enters real property:

19 (1) where the registrant is a student or the registrant's child **OR**  
20 **WARD, IF THE REGISTRANT IS THE GUARDIAN**, is a student or receives child care, if:

21 (i) within the past year the registrant has been given the  
22 specific written permission of the Superintendent of Schools, the local school board,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the principal of the school, or the owner or operator of the registered family child care  
2 home, licensed child care home, or licensed child care institution, as applicable; and

3 (ii) the registrant promptly notifies an agent or employee of the  
4 school, home, or institution of the registrant's presence and purpose of visit; **[or]**

5 (2) for the purpose of voting at a school on an election day in the State  
6 if the registrant is properly registered to vote and the registrant's polling place is at  
7 the school; **OR**

8 **(3) FOR THE PURPOSE OF ATTENDING OR PARTICIPATING IN**  
9 **WORSHIP OR OTHER ACTIVITY SPONSORED BY A HOUSE OF WORSHIP IF:**

10 **(I) WITHIN THE PAST YEAR THE REGISTRANT HAS BEEN**  
11 **GIVEN THE SPECIFIC WRITTEN PERMISSION OF THE SENIOR CHURCH**  
12 **LEADERSHIP; AND**

13 **(II) THE REGISTRANT PROMPTLY NOTIFIES AN AGENT OR**  
14 **EMPLOYEE OF THE SCHOOL, HOME, OR INSTITUTION OF THE REGISTRANT'S**  
15 **PRESENCE AND PURPOSE OF THE VISIT.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2013.