

# VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

## CHAPTER 834

*An Act to amend and reenact § 9.1-903 of the Code of Virginia, relating to sex offender registration procedures.*

[H 291]

Approved April 14, 2004

**Be it enacted by the General Assembly of Virginia:**

**1. That § 9.1-903 of the Code of Virginia is amended and reenacted as follows:**

§ 9.1-903. Registration procedures.

A. Every person convicted, including juveniles tried and convicted in the circuit courts pursuant to § 16.1-269.1, whether sentenced as an adult or juvenile, of an offense for which registration is required shall be required upon conviction to register and reregister with the Department of State Police. The court shall order the person to provide to the local law-enforcement agency of the county or city *where he physically resides* all information required by the State Police for inclusion in the Registry. The court shall remand the person to the custody of the local law-enforcement agency for the purpose of obtaining the person's fingerprints and photographs of a type and kind specified by the State Police for inclusion in the Registry. The local law-enforcement agency shall forward to the State Police all the necessary registration information within seven days of the date of sentencing.

B. Every person required to register shall register in person within 10 days of his release from confinement in a state, local or juvenile correctional facility, *in a state civil commitment program for sexually violent predators* or, if a sentence of confinement is not imposed, within 10 days of suspension of the sentence or in the case of a juvenile of disposition. The local law-enforcement agency shall obtain from the person who presents himself for registration or reregistration two sets of fingerprints, proof of residency and two photographs of a type and kind specified by the State Police for inclusion in the Registry and advise the person of his duties regarding reregistration. The local law-enforcement agency shall promptly forward to the State Police all necessary registration information.

C. To establish proof of residence in Virginia, a person shall present one photo-identification form issued by a governmental agency of the Commonwealth which contains the person's complete name, gender, date of birth and complete address.

D. Any person required to register shall also reregister in person ~~within 10 days~~ with the local law-enforcement agency following any change of residence, whether within or without the Commonwealth. *If his new residence is within the Commonwealth, the person shall register in person with the local law-enforcement agency where his new residence is located within 10 days following his change in residence. If the new residence is located outside of the Commonwealth, the person shall register in person with the local law-enforcement agency where he previously registered within 10 days prior to his change of residence.* If a probation or parole officer becomes aware of a change of residence for any of his probationers or parolees required to register, the probation or parole officer shall notify the State Police within 10 days of learning of the change of residence. Whenever a person subject to registration changes residence to another state, the State Police shall notify the designated law-enforcement agency of that state.

E. The registration shall be maintained in the Registry and shall include the person's name, all aliases that he has used or under which he may have been known, the date and locality of the conviction for which registration is required, his fingerprints and a photograph of a type and kind specified by the State Police, his date of birth, social security number, current physical and mailing address and a description of the offense or offenses for which he was convicted. The registration shall also include the locality of the conviction and a description of the offense or offenses for previous convictions for the offenses set forth in § 9.1-902.

F. The local law-enforcement agency shall promptly forward to the State Police all necessary registration or reregistration information received by it. Upon receipt of registration or reregistration information the State Police shall forthwith notify the chief law-enforcement officer of the locality listed as the person's address on the registration and reregistration.

**2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.**