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SENATE BILL NO. 320

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact §§ 9.1-904, 53.1-116.1 and 53.1-160.1 of the Code of Virginia, relating to the Sex Offender and Crimes Against Minors Registry; penalties.

Patron—Deeds

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-904, 53.1-116.1 and 53.1-160.1 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-904. Reregistration.

Every person required to register, ~~other than a person convicted of a sexually violent offense, shall reregister with the State Police on an annual basis from the date of the initial registration.~~ Every person convicted of a sexually violent offense shall reregister with the State Police every 90 days from the date of initial registration. Reregistration means that the person has notified the State Police, confirmed his current physical and mailing address and provided such other information, including identifying information, which the State Police may require. Upon registration and as may be necessary thereafter, the State Police shall provide the person with an address verification form to be used for reregistration. The form shall contain in bold print a statement indicating that failure to comply with the registration required is punishable as a Class 1 misdemeanor or a Class 6 felony as provided in § 18.2-472.1.

§ 53.1-116.1. Sex offenders required to register before leaving jail.

Prior to the release or discharge of any prisoner ~~serving a sentence for an offense for which registration who is required to register~~ with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, the sheriff, jail superintendent or other jail administrator shall give notice to the prisoner of his duty to register with the State Police. *A person required to register shall register, submit to be photographed as part of the registration, and provide information regarding place of employment, if available, to the sheriff, jail superintendent or other jail administrator.* The sheriff, jail superintendent or other jail administrator shall also obtain from that person all necessary registration information, including fingerprints and photographs of a type and kind approved by the Department of State Police; inform the person of his duties regarding reregistration and change of address; and inform the person of his duty to register. The sheriff, jail superintendent or other jail administrator shall forward the registration information to the Department of State Police ~~within seven days of receipt on or before the date of the prisoner's release.~~

§ 53.1-160.1. Sex offenders required to register before leaving prison.

Prior to the release or discharge of any prisoner ~~serving a sentence for an offense for which registration who is required to register~~ with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, the Department shall give notice to the prisoner of his duty to register with the State Police. *A person required to register shall register, submit to be photographed as part of the registration, and provide information regarding place of employment, if available, to the Department.* The Department shall also obtain from that person all necessary registration information, including fingerprints and photographs of a type and kind approved by the Department of State Police, inform the person of his duties regarding reregistration and change of address, and inform the person of his duty to register. The Department shall forward the registration information to the Department of State Police ~~within seven days of receipt on or before the date of the prisoner's release.~~

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.

INTRODUCED

SB320