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HOUSE BILL NO. 1932

Offered January 12, 2011

Prefiled January 11, 2011

A BILL to amend the Code of Virginia by adding in Chapter 13 of Title 9.1 a section numbered 9.1-1302, relating to creation of a Domestic Abuser Registry; penalty.

Patron—Marshall, D.W.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 13 of Title 9.1 a section numbered 9.1-1302 as follows:

§ 9.1-1302. Domestic Abuser Registry.

A. For purposes of this section, a "domestic abuser" means an adult who has been convicted of a violation of § 16.1-253.2, 18.2-57.2, or 18.2-60.4 or of a substantially similar law of another state or of the United States.

B. Any domestic abuser physically within the boundaries of the Commonwealth for more than 10 consecutive days shall register in person, before the end of the eleventh day, with the sheriff of the county or city in which he resides or is located.

C. Any previously registered domestic abuser shall reregister with the sheriff of the county or city in which he resides or is located no later than 10 days after moving to a new location within the Commonwealth.

D. When a domestic abuser registers with the sheriff, he shall provide the following registration information:

1. His legal name and any other names or aliases that he is using or has used;

2. His date of birth;

3. His social security number;

4. His current address or location;

5. His place of employment; and

6. The offense or offenses for which he was convicted and the dates and places of the convictions.

E. When a domestic abuser registers with a sheriff, the sheriff shall obtain:

1. A photograph of the domestic abuser and a complete set of his fingerprints; and

2. A description of any tattoos, scars, or other distinguishing features on the domestic abuser's body that would assist in identifying him.

F. Following a domestic abuser's initial registration pursuant to the provisions of this section, he shall annually renew his registration in person at the office of the sheriff of the county or city where he resides or is located on or before December 31 of each subsequent calendar year for a period of 15 years.

G. A domestic abuser who intentionally or knowingly fails to comply with the registration or reregistration requirements or provides false information when complying with the registration or reregistration requirements herein is guilty of a Class 6 felony.

H. Each sheriff shall maintain a local registry including the registration information of all domestic abusers in his jurisdiction who are required to register pursuant to this section. Within 10 days of receiving initial registration information from a domestic abuser, the sheriff shall contact every residence, school, and any business within a one-half-mile radius of the domestic abuser's residence or location and provide them with the domestic abuser's registration information, with the exception of his social security number.

I. The sheriff shall forward all local registry information to the State Police. The State Police shall maintain a central registry of domestic abusers required to register pursuant to the provisions of this section. The central registry of domestic abusers shall be made available to the public on the State Police website and via telephone access, written access, and in-person access. All of the information contained in a domestic abuser's registration, with the exception of his social security number, shall be made available to the public. Records of each domestic abuser's registration shall be maintained for the duration of the 15-year period in which the domestic abuser is required to register.

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 is \$3,085,510 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

HB1932