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## HOUSE JOINT RESOLUTION NO. 594

Offered January 12, 2011

Prefiled January 10, 2011

*Establishing a joint subcommittee to study the efficacy of the establishment of additional registries similar to the Sex Offender and Crimes Against Minors Registry that would contain criminal justice information for use by the public in making informed decisions regarding their family members. Report.*

Patrons—Carrico and Scott, J.M.

Referred to Committee on Rules

WHEREAS, in 1994 the Commonwealth established the Sex Offender and Crimes Against Minors Registry and since 1994, the Commonwealth has made significant changes to the Registry to improve the accountability and provide information to the public to make informed decisions; and

WHEREAS, the federal Sex Offender Registration and Notification Act (SORNA) was enacted by Congress and signed by the President in 2006; and

WHEREAS, SORNA requires the Commonwealth to achieve substantial implementation by July 2011 or suffer a 10 percent reduction in the funding provided by the Byrne Justice Assistance Grant to each state; and

WHEREAS, although the Commonwealth of Virginia has made a continuing effort since the enactment of SORNA to comply with the requirements and to achieve substantial implementation, the Commonwealth will not be in compliance by July 2011; and

WHEREAS, the Commonwealth maintains additional criminal justice information systems that collect, store and disseminate information to criminal justice agencies in the Commonwealth regarding activities of persons convicted of crimes; and

WHEREAS, the information contained in these systems regarding a person's criminal convictions may be beneficial to the public for purposes of making an informed decision on employment, housing, and the placement of children in activities or locations; and

WHEREAS, members of the General Assembly have received several requests for the establishment of registries in addition to the Sex Offender and Crimes Against Minors Registry to provide the public with additional information regarding certain convicted persons; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the efficacy of the establishment of additional registries similar to the Sex Offender and Crimes Against Minors Registry that would contain criminal justice information for use by the public in making informed decisions regarding their family members. The joint subcommittee shall identify those issues that are most pressing to Virginia. The joint subcommittee shall have a total membership of eight legislative members. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates and three members of the Senate to be appointed by the Senate Committee on Rules. The joint subcommittee shall elect a chairman and vice-chairman from among its membership.

In conducting its study, the joint subcommittee shall determine the financial and practical impact on the Commonwealth of establishing additional registries similar to the Sex Offender and Crimes Against Minors Registry. The joint subcommittee shall examine the duties of state and local governments with regard to these issues and determine whether increased authority is needed in certain areas before information could be made available to the public. The joint subcommittee shall determine which databases will be reserved exclusively for criminal justice and identify strategies to increase the availability of information to the public.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. The Department of State Police, local law-enforcement agencies and all other agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2011 interim, and the direct costs of this study shall not exceed \$8,000 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

INTRODUCED

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59 No recommendation of the joint subcommittee shall be adopted if a majority of the House members  
60 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the  
61 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the  
62 joint subcommittee.

63 The joint subcommittee shall complete its meetings by November 30, 2011, and the chairman shall  
64 submit to the Division of Legislative Automated Systems an executive summary of its findings and  
65 recommendations no later than the first day of the 2012 Regular Session of the General Assembly. The  
66 executive summary shall state whether the joint subcommittee intends to submit to the General  
67 Assembly and the Governor a report of its findings and recommendations for publication as a House or  
68 Senate document. The executive summary and the report shall be submitted as provided in the  
69 procedures of the Division of Legislative Automated Systems for the processing of legislative documents  
70 and reports and shall be posted on the General Assembly's website.

71 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
72 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or  
73 delay the period for the conduct of the study, or authorize additional meetings during the 2011 interim.