

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-390.1 of the Code of Virginia, relating to sex offender registration.*

3 [H 262]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 19.2-390.1 of the Code of Virginia is amended and reenacted as follows:**

7 § 19.2-390.1. Sex Offender Registry; maintenance; access.

8 A. The Department of State Police shall keep and maintain a Sex Offender Registry, separate and
9 apart from all other records maintained by it. The purpose of the Sex Offender Registry shall be to
10 assist the efforts of law-enforcement agencies to protect their communities from repeat sex offenders and
11 to protect children from becoming the victims of repeat sex offenders by helping to prevent such
12 individuals from being hired or allowed to volunteer to work directly with children. The Sex Offender
13 Registry shall include conviction data received from the courts pursuant to § 19.2-390 for felony
14 violations of §§ 18.2-61, 18.2-63, 18.2-64.1, 18.2-67.1, 18.2-67.2, 18.2-67.3, 18.2-67.5, 18.2-370 or
15 § 18.2-370.1 or, where the victim is a minor or is physically helpless or mentally incapacitated as
16 defined in § 18.2-67.10, subsection B of § 18.2-361 or subsection B of § 18.2-366, including the
17 disposition records for juveniles tried and convicted in the circuit courts pursuant to § 16.1-269, and
18 registrations received from persons required to do so by § 19.2-298.1. The State Police shall promulgate
19 regulations governing the operation and maintenance of the Sex Offender Registry and the expungement
20 of records on persons who are deceased, whose convictions have been reversed or who have been
21 pardoned, and those for whom an order of expungement has been entered pursuant to § 19.2-298.2 or
22 § 19.2-392.1.

23 B. Sex Offender Registry information shall be disseminated, upon request, only to authorized officers
24 or employees of (i) a criminal justice agency, as defined by § 9-169; (ii) a public school division; (iii) a
25 private, denominational or parochial school; or (iv) a child-welfare agency or a registered or unregistered
26 small family day-care home as defined in § 63.1-195. *The Department of State Police shall make Sex*
27 *Offender Registry information available, upon request, to criminal justice agencies including local*
28 *law-enforcement agencies through the Virginia Criminal Information Network (VCIN).* Sex Offender
29 Registry information provided under this section shall be used only for the purposes of the
30 administration of criminal justice or for the screening of current or prospective employees or volunteers.
31 Further dissemination of such information or use of the information for purposes not authorized by this
32 section is prohibited and a willful violation of this section shall be punished as a Class 1 misdemeanor.
33 *The VCIN and any form or document used by the Department of State Police to disseminate information*
34 *from the Sex Offender Registry shall provide notice that any further or unauthorized dissemination of*
35 *the information is a crime punishable as a Class 1 misdemeanor. The Department of State Police may*
36 *by regulation establish a fee not to exceed fifteen dollars for responding to requests for information from*
37 *the Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to*
38 *offset the costs of administering the Registry.*

ENROLLED

HB262ER