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HOUSE BILL NO. 799

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend and reenact § 9.1-914 of the Code of Virginia, relating to sex offender registry; automatic notification.*

Patrons—Fralin, Albo, Athey, Callahan, Landes, Lingamfelter, McQuigg, Suit, Welch and Wright

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:**1. That § 9.1-914 of the Code of Virginia is amended and reenacted as follows:**

§ 9.1-914. Automatic notification of registration to certain entities.

Any school, day-care service and child-minding service, and any state-regulated or state-licensed child day center, child day program, children's residential facility, family day home or foster home as defined in § 63.2-100 may request from the State Police and, upon compliance with the requirements therefor established by the State Police, shall be eligible to receive from the State Police electronic notice of the registration or reregistration of any sex offender. ~~Entities~~ *Such entities* that request and are entitled to this notification, and that do not have the capability of receiving such electronic notice, may register with the State Police to receive written notification of sex offender registration or reregistration.

Within three business days of receipt by the State Police of registration or reregistration, the State Police shall electronically or in writing notify an entity that ~~has requested~~ *is entitled to* such notification, ~~has complied with the requirements established by the State Police~~ and is located in the same or a contiguous zip code area as *within a 10-mile radius of* the address of the offender as shown on the registration.

For purposes of facilitating notification, the Department of Social Services shall provide the State Police with the location of any day-care service and child-minding service, and any state-regulated or state-licensed child day-care center, child day program, children's residential facility, family day home or foster home as defined in § 63.2-100, and with an electronic mail address, if available, for each such entity, and the Department of Education shall provide the State Police with the location of every school in the Commonwealth, and an electronic mail address for each school, if available. Such information regarding the location of these facilities shall be updated annually.

The State Police shall establish reasonable guidelines governing the automatic dissemination of Registry information, which may include the payment of a fee, whether a one-time fee or a regular assessment, to maintain the electronic access. The fee, if any, shall defray the costs of establishing and maintaining the electronic notification system and notice by mail.

For the purposes of this section, "day-care service" means provision of supplementary care and protection during a part of the day for the minor child of another; "child-minding service" means provision of temporary custodial care or supervisory services for the minor child of another; and "school" means any public, religious or private educational institution, including any preschool, elementary school, secondary school, post-secondary school, trade or professional institution, or institution of higher education.

INTRODUCED

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