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## HOUSE BILL NO. 2089

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice  
on February 13, 2019)

(Patron Prior to Substitute—Delegate Watts)

*A BILL to amend and reenact § 9.1-904 of the Code of Virginia, relating to Sex Offender and Crimes  
Against Minors Registry; reregistration schedule.***Be it enacted by the General Assembly of Virginia:****1. That § 9.1-904 of the Code of Virginia is amended and reenacted as follows:****§ 9.1-904. Reregistration.**

A. Every person required to register, ~~other than a person convicted of a sexually violent offense or murder,~~ 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 or murder shall reregister with the State Police every 90 days from the date of initial registration *on a schedule pursuant to this section.* Reregistration means that the person has notified the State Police, confirmed his current physical and mailing address and electronic mail address information, *and* any instant message, chat, or other Internet communication name or identity information that he uses or intends to use, 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 provided in § 18.2-472.1. Upon registration and as may be necessary thereafter, the person shall likewise be required to execute a consent form consistent with applicable law that authorizes a business or organization that offers electronic communications or remote computer services to provide to the Department of State Police any information pertaining to that person necessary to determine the veracity of his electronic identity information in the registry.

B. Any person convicted of a violation of § 18.2-472.1, ~~other than a person convicted of a sexually violent offense or murder,~~ shall reregister with the State Police every 180 days from the date of such conviction. Any person convicted of a violation of § 18.2-472.1, in which such person was included on the Registry for a conviction of a sexually violent offense or murder, shall reregister with the State Police every 30 days from the date of conviction. Reregistration means the person has notified the State Police, confirmed his current physical and mailing address and electronic mail address information, any instant message, chat or other Internet communication name or identity information that he uses or intends to use, 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 state the registration requirements and contain in bold print a statement indicating that failure to comply with the registration requirements is punishable as provided in § 18.2-472.1.

C. Every person required to register pursuant to this chapter shall submit to be photographed by a local law-enforcement agency every two years, *during such person's required reporting month and time interval,* commencing with the date of initial registration ~~reregistration~~. Photographs shall be in color, be taken with the registrant facing the camera, and clearly show the registrant's face and shoulders only. No person other than the registrant may appear in the photograph submitted. The photograph shall indicate the registrant's full name, date of birth and the date the photograph was taken. The local law-enforcement agency shall forthwith forward the photograph and the registration form to the State Police. Where practical, the local law-enforcement agency may electronically transfer a digital photograph containing the required information to the Sex Offender and Crimes Against Minors Registry within the State Police.

C. Every person required to register, *other than a person convicted of a sexually violent offense or murder,* shall reregister with the State Police once each year during such person's birth month. Persons with last names beginning with A through L shall reregister from the first to the fifteenth of such person's birth month and persons with last names beginning with M through Z shall reregister from the sixteenth to the last day of the month during such person's birth month.

D. Every person convicted of a sexually violent offense or murder shall reregister with the State Police four times every year according to the following schedule:

Birth Month:	Reporting Months:
January	January, April, July, and October
February	February, May, August, and November
March	March, June, September, and December
April	April, July, October, and January

60	May	May, August, November, and February
61	June	June, September, December, and March
62	July	July, October, January, and April
63	August	August, November, February, and May
64	September	September, December, March, and June
65	October	October, January, April, and July
66	November	November, February, May, and August
67	December	December, March, June, and September

68 *Persons with last names beginning with A through L shall reregister from the first to the fifteenth of*  
 69 *such person's required reporting months and persons with last names beginning with M through Z shall*  
 70 *reregister from the sixteenth to the last day of the month during such person's required reporting*  
 71 *months.*

72 *E. Any person convicted of a violation of § 18.2-472.1, other than a person convicted of a sexually*  
 73 *violent offense or murder, shall reregister with the State Police twice every year according to the*  
 74 *following schedule:*

75	<i>Birth Month:</i>	<i>Reporting Months:</i>
76	January	January and July
77	February	February and August
78	March	March and September
79	April	April and October
80	May	May and November
81	June	June and December
82	July	January and July
83	August	February and August
84	September	March and September
85	October	April and October
86	November	May and November
87	December	June and December

88 *Persons with last names beginning with A through L shall reregister from the first to the fifteenth of*  
 89 *such person's required reporting months and persons with last names beginning with M through Z shall*  
 90 *reregister from the sixteenth to the last day of the month during such person's required reporting*  
 91 *months.*

92 *F. Any person convicted of a violation of § 18.2-472.1, in which such person was included on the*  
 93 *Registry for a conviction of a sexually violent offense or murder, shall reregister with the State Police*  
 94 *every month. Persons with last names beginning with A through L shall reregister from the first to the*  
 95 *fifteenth of such person's birth month and persons with last names beginning with M through Z shall*  
 96 *reregister from the sixteenth to the last day of the month during such person's birth month.*