

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 617

S.P. 226

In Senate, February 11, 2003

An Act Amending the Time by Which a Sex Offender or Sexually Violent Predator Must Register

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in black ink that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator ROTUNDO of Androscoggin.
Cosponsored by Representative WALCOTT of Lewiston and
Senators: BROMLEY of Cumberland, DOUGLASS of Androscoggin, WOODCOCK of
Franklin, Representatives: CRAVEN of Lewiston, MAILHOT of Lewiston, MAKAS of
Lewiston, O'BRIEN of Augusta, O'BRIEN of Lewiston.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 34-A MRSA §11222, sub-§2, ¶¶B to D, as enacted by PL 1999, c. 437, §2, are amended to read:

B. Inform the sex offender or sexually violent predator that if the sex offender or sexually violent predator changes domicile, the sex offender or sexually violent predator shall give the new address to the bureau in writing within ~~10-days~~ 48 hours;

C. Inform the sex offender or sexually violent predator that if that sex offender or sexually violent predator changes domicile to another state, the sex offender or sexually violent predator shall register the new address with the bureau and if the new state has a registration requirement, the sex offender or sexually violent predator shall register with a designated law enforcement agency in the new state not later than ~~10--days~~ 48 hours after establishing domicile in the new state;

D. Inform the sex offender or sexually violent predator that if that sex offender or sexually violent predator has part-time or full-time employment in another state, with or without compensation, for more than 14 consecutive days or for an aggregate period exceeding 30 days in a calendar year or if that sex offender or sexually violent predator enrolls in any type of school in another state on a part-time or full-time basis, the sex offender or sexually violent predator shall give the bureau the registrant's place of employment or school to be attended in writing within ~~10 days~~ 48 hours after beginning work or attending school and if the other state has a registration requirement, shall register with the designated law enforcement agency in the other state;

Sec. 2. 34-A MRSA §11222, sub-§2-A, as repealed and replaced by PL 2001, c. 553, §6, is amended to read:

2-A. Duty of sex offender or sexually violent predator sentenced from June 30, 1992 to September 17, 1999 to register. Notwithstanding subsection 1, a person who has been sentenced on or after June 30, 1992 but before September 18, 1999 for a sex offense or a sexually violent offense shall register either as a sex offender or as a sexually violent predator, whichever is applicable, with the bureau by September 1, 2002 if the duty to register has been triggered under subsection 1-A, paragraph A, B or C, unless sooner notified in writing of a duty to register under subsection 1-A, paragraph A, B or C by the bureau, the

2 department or a law enforcement officer, in which case the person
shall register with the bureau within ~~10-days~~ 48 hours of notice.

4 **Sec. 3. 34-A MRSA §11222, sub-§4, ¶C**, as enacted by PL 1999,
c. 437, §2, is amended to read:

6 C. The sex offender or sexually violent predator shall take
8 the completed verification form and a photograph to the law
enforcement agency having jurisdiction within ~~10-days~~ 48
10 hours of receipt of the form.

12 **Sec. 4. 34-A MRSA §11222, sub-§5**, as enacted by PL 1999, c.
437, §2, is amended to read:

14 **5. Change of domicile.** A sex offender or sexually violent
16 predator shall notify the bureau in writing of a change of
domicile within ~~10-days~~ 48 hours after establishing that domicile.

18 A. If the sex offender or sexually violent predator
20 establishes a new domicile in the State, the bureau shall
notify, within 3 days, both the law enforcement agency
22 having jurisdiction where the sex offender or sexually
violent predator was formerly domiciled and the law
24 enforcement agency having jurisdiction where the sex
offender or sexually violent predator is currently domiciled.

26 B. If the sex offender or sexually violent predator
28 establishes a domicile in another state, the bureau shall
notify, within 3 days, the law enforcement agency having
30 jurisdiction where the sex offender or sexually violent
predator was formerly domiciled and the law enforcement
32 agency having jurisdiction where the sex offender or
sexually violent predator is currently domiciled.

34 **Sec. 5. 34-A MRSA §§11223 and 11224**, as enacted by PL 1999,
36 c. 437, §2, are amended to read:

38 **§11223. Duty of person establishing domicile to register**

40 A person required under another jurisdiction to register as
42 a sex offender or sexually violent predator, or who is convicted
of a similar sex offense or sexually violent offense in another
44 jurisdiction, shall register as a sex offender or sexually
violent predator within ~~10-days~~ 48 hours of establishing domicile
46 in this State. The person shall contact the bureau, which shall
provide the person with the registration form and direct the
48 person to take the form and a photograph of the person to the law
enforcement agency having jurisdiction. The law enforcement
agency shall supervise the completion of the form, take the

2 person's fingerprints and immediately forward the form,
3 photograph and fingerprints to the bureau.

4 **§11224. Duty of person employed or attending school to register**

6 A person who is required under another jurisdiction to
7 register as a sex offender or sexually violent predator because
8 the person is domiciled in another state or who is convicted of a
9 similar sex offense or sexually violent offense in another
10 jurisdiction shall register as a sex offender within ~~10-days~~ 48
11 hours of beginning full-time or part-time employment, with or
12 without compensation, for more than 14 consecutive days or for an
13 aggregate period exceeding 30 days in a calendar year or
14 beginning school on a full-time or part-time basis in this
15 State. The person shall contact the bureau, which shall provide
16 the person with a registration form and direct the person to take
17 the form and a photograph of the person to the law enforcement
18 agency having jurisdiction. The law enforcement agency shall
19 supervise the completion of the form, take the person's
20 fingerprints and immediately forward the form, photograph and
21 fingerprints to the bureau.

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SUMMARY

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27 This bill reduces from 10 days to 48 hours the time within
28 which a sex offender or sexually violent predator must register
29 with the Department of Public Safety, State Bureau of
30 Identification to comply with the Sex Offender Registration and
Notification Act of 1999.