

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 390

H.P. 292

House of Representatives, January 25, 2005

An Act To Improve Maine's Sex Offender Notification Laws

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARLEY of Portland.
Cosponsored by Representatives: DAVIS of Falmouth, VAUGHAN of Durham, Senator ANDREWS of York and Representatives: DAVIS of Augusta, RINES of Wiscasset, SAMPSON of Auburn, WHEELER of Kittery.

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

4 **Sec. 1. 34-A MRSA §11202**, as repealed and replaced by PL
6 2003, c. 711, Pt. C, §5 and affected by Pt. D, §2, is amended to
8 read:

10 **§11202. Application**

12 This chapter applies to a person defined as a 10-year
14 registrant or lifetime registrant ~~who has been sentenced on or
16 after June 30, 1992.~~

18 **Sec. 2. 34-A MRSA §11227, sub-§1-A** is enacted to read:

20 **1-A. Failure to register or update; notice of duty.** A
22 registrant who fails to register or update the information
24 required under this chapter and who had been informed of the duty
26 to register pursuant to section 11222, subsection 2 commits a
28 Class C crime.

30 **Sec. 3. 34-A MRSA §11227, sub-§2**, as amended by PL 2003, c.
32 711, Pt. C, §25 and affected by Pt. D, §2, is further amended to
34 read:

36 **2. Failure to register or update information; 2nd offense.**
38 A registrant who has one prior conviction for failure to register
40 or update the information required under this chapter commits a
42 Class D B crime.

44 **Sec. 4. 34-A MRSA §11229** is enacted to read:

46 **§11229. Residence restrictions**

48 A person required to register under this chapter may not
50 reside within 1,000 feet of a school, child care facility or
recreational facility where minors congregate. A registrant who
violates this section commits a Class C crime.

Sec. 5. 34-A MRSA §11255, sub-§2, as amended by PL 2003, c.
711, Pt. C, §28 and affected by Pt. D, §2, is further amended to
read:

2. Law enforcement agencies. Upon receipt of the
information concerning the conviction of a person for a sexually
violent offense or the conditional release or discharge of a
registrant pursuant to section 11254, subsection 2, a law
enforcement agency shall notify members of a municipality that
the law enforcement agency determines appropriate to ensure
public safety.

2

SUMMARY

4 This bill amends the Sex Offender Registration and
Notification Act of 1999 by: eliminating the time period cut-off
6 in which a conviction must have occurred; creating a Class C
crime for a registrant's failure to register or update
8 information after being notified of the duty to do so; upgrading
from a Class D crime to a Class B crime a subsequent violation
10 for failing to register or update information; requiring law
enforcement officials to notify the public upon the conviction of
12 a person for a sexually violent act; and forbidding a registrant
from residing within 1,000 feet of a school, child care facility
14 or recreational facility where minors congregate, which is a
Class C crime.