

104TH CONGRESS
2D SESSION

S. 2138

To clarify the standards for State sex offender registration programs under the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 1996

Mr. GREGG introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To clarify the standards for State sex offender registration programs under the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT OF STANDARDS FOR STATE SEX**
4 **OFFENDER REGISTRATION PROGRAMS.**

5 Section 170101 of the Violent Crime Control and
6 Law Enforcement Act of 1994 (Public Law 103-322) is
7 amended—

1 (1) in subsection (a)(1), by striking “with a
2 designated State law enforcement agency” in each of
3 subparagraph (A) and subparagraph (B);

4 (2) in subsection (a)(2), by inserting before the
5 period the following: “, or pursuant to an assess-
6 ment for purposes of a sentencing enhancement de-
7 termination”;

8 (3) in subsection (a)(3)(C), by inserting before
9 the period the following: “, or means a person who
10 has been convicted of a sexually violent offense and
11 has received an enhanced sentence based on a deter-
12 mination that the person is a serious danger to oth-
13 ers due to a gravely abnormal mental condition”;

14 (4) in subsection (b)(1)(A)—

15 (A) in clause (ii), by striking “give” and
16 all that follows through “days” and inserting
17 “report the change of address as provided by
18 State law”; and

19 (B) in clause (iii), by striking “shall reg-
20 ister” and all that follows through “require-
21 ment” and inserting “shall report the change of
22 address as provided by State law and comply
23 with any registration requirement in the new
24 State of residence”;

1 (5) by amending paragraph (2) of subsection
2 (b) to read as follows:

3 “(2) TRANSFER OF INFORMATION TO STATE
4 AND THE FEDERAL BUREAU OF INVESTIGATION.—
5 The officer, or in the case of a person placed on pro-
6 bation, the court, shall forward the registration in-
7 formation to the agency responsible for registration
8 under State law. State procedures shall ensure that
9 the registration information is available to a law en-
10 forcement agency having jurisdiction where the per-
11 son expects to reside, that the information is entered
12 into the appropriate State records or data system,
13 and that conviction data and fingerprints for reg-
14 istered persons are transmitted to the Federal Bu-
15 reau of Investigation.”;

16 (6) in subsection (b)(3)(A)—

17 (A) in the matter preceding clause (i), by
18 inserting after “(a)(1),” the following: “State
19 procedures shall provide for verification of ad-
20 dress at least annually. Such verification may
21 be effected by providing that”;

22 (B) in clause (i), by striking “The des-
23 ignated State law enforcement” and inserting
24 “A designated”;

1 (C) in clause (ii), by striking “State law
2 enforcement”;

3 (D) in clause (iii), by striking “to the des-
4 ignated State law enforcement agency”; and

5 (E) in clause (iv), by striking “State law
6 enforcement”;

7 (7) in subsection (b)(4), by striking “section re-
8 ported” and all that follows through “requirement”
9 and inserting the following: “section shall be re-
10 ported by the person in the manner provided by
11 State law. State procedures shall ensure that the up-
12 dated address information is available to a law en-
13 forcement agency having jurisdiction where the per-
14 son will reside and that the information is entered
15 into the appropriate State records or data system.”;

16 (8) in subsection (b)(5), by striking “shall reg-
17 ister” and all that follows through “requirement”
18 and inserting “who moves to another State shall re-
19 port the change of address to the responsible agency
20 in the State the person is leaving, and shall comply
21 with any registration requirement in the new State
22 of residence. The procedures of the State the person
23 is leaving shall ensure that notice is provided to an
24 agency responsible for registration in the new State,
25 if that State requires registration”; and

1 (9) in subsection (d)(3), by striking “the des-
2 ignated” and all that follows through “State agen-
3 cy” and inserting “the State or any agency author-
4 ized by the State”.

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