

109TH CONGRESS
1ST SESSION

H. R. 1505

To revise the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2005

Ms. GINNY BROWN-WAITE of Florida (for herself, Ms. HARRIS, Ms. WASSERMAN SCHULTZ, and Mr. POE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To revise the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration program.

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. SHORT TITLE.**

4 This Act may be cited as the “Jessica Lunsford Act”.

5 **SEC. 2. REVISIONS.**

6 (a) SEMIANNUAL MAILER REQUIRED.—Section
7 170101 of the Violent Crime Control and Law Enforce-
8 ment Act of 1994 (42 U.S.C. 14071) is amended in sub-
9 section (b)(3)(A) by adding at the end the following:
10 “State procedures shall include a verification process

1 under which the State mails a nonforwardable verification
2 form to the last known address of the person, to be re-
3 turned by the person within 10 days after receiving the
4 form. The date on which the State mails the form shall
5 be determined through a process that includes an element
6 of randomness, except that the State shall mail the form
7 at least twice in each calendar year. A failure to return
8 the form within the period allowed shall be punishable in
9 the same manner as a failure to register.”.

10 (b) NOTICE OF OFFENDER STATUS TO PROBATION
11 OFFICERS.—Such section is further amended in sub-
12 section (b)(1)(A)—

13 (1) in clause (iv), by striking “and” at the end;

14 (2) in clause (v), by striking the period at the
15 end and inserting “; and”; and

16 (3) by adding at the end the following new
17 clause:

18 “(vi) notify the agency responsible for
19 supervising the person, if any, that the
20 person is required to register under this
21 section and provide that agency with the
22 registration information relating to that
23 person.”.

24 (c) ELECTRONIC MONITORING OF OFFENDERS WHO
25 REPEATEDLY FAIL TO REGISTER.—Such section is fur-

1 ther amended by adding at the end the following new sub-
2 section:

3 “(k) LOCATION-TRANSMITTING DEVICES FOR OF-
4 FENDERS WHO REPEATEDLY FAIL TO REGISTER.—In ad-
5 dition to any other consequence that may be imposed by
6 law, a person required to register under a State program
7 established pursuant to this section with two or more con-
8 victions for failing to so register or failing to keep such
9 registration current shall, upon release from imprison-
10 ment, be required by that State to wear at all times a
11 location-transmitting device (such as an anklet) for a pe-
12 riod of not less than 5 years. If the person is a sexually
13 violent predator, the period shall be not less than 10 years.
14 The State shall frequently monitor the information trans-
15 mitted by the device. The Attorney General shall prescribe
16 guidelines specifying how a State is to comply with this
17 subsection.”.

18 (d) COMPLIANCE.—

19 (1) COMPLIANCE DATE.—Each State shall have
20 not more than 12 months from the date of the en-
21 actment of this Act in which to implement the
22 amendments made by subsections (a) and (b), and
23 not more than 18 months from the date of the en-
24 actment of this Act in which to implement the
25 amendment made by subsection (c).

1 (2) INELIGIBILITY FOR FUNDS.—

2 (A) IN GENERAL.—A State that fails to
3 implement the amendments made by this Act
4 shall not receive 10 percent of the funds that
5 would otherwise be allocated to the State under
6 section 506 of the Omnibus Crime Control and
7 Safe Streets Act of 1968 (42 U.S.C. 3765).

8 (B) REALLOCATION OF FUNDS.—Any
9 funds that are not allocated by reason of sub-
10 paragraph (A) shall be reallocated to States
11 that are in compliance.

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