

SENATE BILL No. 103

January 29, 2003, Introduced by Senators BISHOP, JOHNSON, SANBORN, KUIPERS,
 PATTERSON, GOSCHKA and BIRKHOLZ and referred to the Committee on Judiciary.

A bill to amend 1994 PA 295, entitled
 "Sex offenders registration act,"
 by amending section 5 (MCL 28.725), as amended by 2002 PA 542.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Within 10 days after ~~any~~ **either** of the
 2 following ~~occur~~ **occurs**, an individual required to be registered
 3 under this act shall notify the local law enforcement agency or
 4 sheriff's department having jurisdiction where his or her new
 5 residence or domicile is located or the department post of the
 6 individual's new residence or domicile:

7 ~~(a) The individual changes his or her residence, domicile,~~
 8 ~~or place of work or education, including any change required to~~
 9 ~~be reported under section 4a.~~

10 (a) ~~(b)~~ The individual is paroled.

11 (b) ~~(c)~~ Final release of the individual from the

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1 jurisdiction of the department of corrections.

2 (2) Within 10 days after an individual who is required to be
3 registered under this act changes his or her residence or
4 domicile or place of work or education, including any change
5 required to be reported under section 4a, the individual shall
6 notify all of the following of the individual's new residence or
7 domicile or place of work or education:

8 (a) The local law enforcement agency or sheriff's department
9 having jurisdiction of the local unit of government in which he
10 or she previously resided or was domiciled or worked or received
11 education.

12 (b) The local law enforcement agency or sheriff's department
13 having jurisdiction of the local unit of government in which he
14 or she intends to reside or be domiciled or work or receive
15 education.

16 (c) The department.

17 (3) ~~(2)~~ Within 10 days after either of the following
18 occurs, the department of corrections shall notify the local law
19 enforcement agency or sheriff's department having jurisdiction
20 over the area to which the individual is transferred or the
21 department post of the transferred residence or domicile of an
22 individual required to be registered under this act:

23 (a) The individual is transferred to a community residential
24 program.

25 (b) The individual is transferred into a minimum custody
26 correctional facility of any kind, including a correctional camp
27 or work camp.

1 **(4)** ~~-(3)-~~ An individual required to be registered under this
2 act shall notify the department on a form prescribed by the
3 department not later than 10 days before he or she changes his or
4 her domicile or residence to another state. The individual shall
5 indicate the new state and, if known, the new address. The
6 department shall update the registration and compilation
7 databases and promptly notify the appropriate law enforcement
8 agency and any applicable sex or child offender registration
9 authority in the new state.

10 **(5)** ~~-(4)-~~ If the probation or parole of an individual
11 required to be registered under this act is transferred to
12 another state or an individual required to be registered under
13 this act is transferred from a state correctional facility to any
14 correctional facility or probation or parole in another state,
15 the department of corrections shall promptly notify the
16 department and the appropriate law enforcement agency and any
17 applicable sex or child offender registration authority in the
18 new state. The department shall update the registration and
19 compilation databases.

20 **(6)** ~~-(5)-~~ An individual registered under this act shall
21 comply with the verification procedures and proof of residence
22 procedures prescribed in sections 4a and 5a.

23 **(7)** ~~-(6)-~~ Except as provided in subsection ~~-(7)-~~ **(8)**, an
24 individual shall comply with this section for 25 years after the
25 date of initially registering or, if the individual is in a state
26 correctional facility, for 10 years after release from the state
27 correctional facility, whichever is longer.

1 **(8)** ~~-(7)-~~ An individual shall comply with this section for
2 life if the individual is convicted of any of the following or a
3 substantially similar offense under a law of the United States,
4 any state, or any country or under tribal or military law:

5 (a) A violation of section 520b of the Michigan penal code,
6 1931 PA 328, MCL 750.520b.

7 (b) A violation of section 520c(1)(a) of the Michigan penal
8 code, 1931 PA 328, MCL 750.520c.

9 (c) A violation of section 349 of the Michigan penal code,
10 1931 PA 328, MCL 750.349, if the victim is less than 18 years of
11 age.

12 (d) A violation of section 350 of the Michigan penal code,
13 1931 PA 328, MCL 750.350.

14 (e) A violation of section 145c(2) or (3) of the Michigan
15 penal code, 1931 PA 328, MCL 750.145c.

16 (f) An attempt or conspiracy to commit an offense described
17 in subdivisions (a) to (e).

18 (g) Except as provided in this subdivision, a second or
19 subsequent listed offense after October 1, 1995 regardless of
20 when any earlier listed offense was committed. An individual is
21 not required to comply with this section for life if his or her
22 first or second listed offense is for a conviction on or before
23 September 1, 1999 for an offense that was added on September 1,
24 1999 to the definition of listed offense, unless he or she is
25 convicted of a subsequent listed offense after September 1,
26 1999.