

HOUSE BILL No. 4121

January 24, 2007, Introduced by Rep. Pavlov and referred to the Committee on Judiciary.

A bill to amend 1994 PA 295, entitled
"Sex offenders registration act,"
by amending sections 2, 4a, 5, 5a, 7, and 8 (MCL 28.722, 28.724a,
28.725, 28.725a, 28.727, and 28.728), section 2 as amended by 2005
PA 301, sections 4a and 7 as amended by 2004 PA 237, section 5 as
amended by 2006 PA 402, section 5a as amended by 2005 PA 322, and
section 8 as amended by 2004 PA 240.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Convicted" means 1 of the following:

3 (i) Having a judgment of conviction or a probation order
4 entered in any court having jurisdiction over criminal offenses,
5 including, but not limited to, a tribal court or a military court,
6 and including a conviction subsequently set aside under 1965 PA
7 213, MCL 780.621 to 780.624.

1 (ii) Either of the following:

2 (A) Being assigned to youthful trainee status under sections
3 11 to 15 of chapter II of the code of criminal procedure, 1927 PA
4 175, MCL 762.11 to 762.15, before October 1, 2004.

5 (B) Being assigned to youthful trainee status under sections
6 11 to 15 of chapter II of the code of criminal procedure, 1927 PA
7 175, MCL 762.11 to 762.15, on or after October 1, 2004 if the
8 individual's status of youthful trainee is revoked and an
9 adjudication of guilt is entered.

10 (iii) Having an order of disposition entered under section 18 of
11 chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18,
12 that is open to the general public under section 28 of chapter XIIIA
13 of the probate code of 1939, 1939 PA 288, MCL 712A.28.

14 (iv) Having an order of disposition or other adjudication in a
15 juvenile matter in another state or country.

16 (b) "Department" means the department of state police.

17 (c) "Institution of higher education" means 1 or more of the
18 following:

19 (i) A public or private community college, college, or
20 university.

21 (ii) A public or private trade, vocational, or occupational
22 school.

23 (d) "Local law enforcement agency" means the police department
24 of a municipality.

25 (e) "Listed offense" means any of the following:

26 (i) A violation of section 145a, 145b, or 145c of the Michigan
27 penal code, 1931 PA 328, MCL 750.145a, 750.145b, and 750.145c.

1 (ii) A violation of section 158 of the Michigan penal code,
2 1931 PA 328, MCL 750.158, if a victim is an individual less than 18
3 years of age.

4 (iii) A violation of section 335a(2)(b) of the Michigan penal
5 code, 1931 PA 328, MCL 750.335a, if that individual was previously
6 convicted of violating section 335a of that act.

7 (iv) A third or subsequent violation of any combination of the
8 following:

9 (A) Section 167(1)(f) of the Michigan penal code, 1931 PA 328,
10 MCL 750.167.

11 (B) Section 335a(2)(a) of the Michigan penal code, 1931 PA
12 328, MCL 750.335a.

13 (C) A local ordinance of a municipality substantially
14 corresponding to a section described in sub-subparagraph (A) or
15 (B).

16 (v) Except for a juvenile disposition or adjudication, a
17 violation of section 338, 338a, or 338b of the Michigan penal code,
18 1931 PA 328, MCL 750.338, 750.338a, and 750.338b, if a victim is an
19 individual less than 18 years of age.

20 (vi) A violation of section 349 of the Michigan penal code,
21 1931 PA 328, MCL 750.349, if a victim is an individual less than 18
22 years of age.

23 (vii) A violation of section 350 of the Michigan penal code,
24 1931 PA 328, MCL 750.350.

25 (viii) A violation of section 448 of the Michigan penal code,
26 1931 PA 328, MCL 750.448, if a victim is an individual less than 18
27 years of age.

1 (ix) A violation of section 455 of the Michigan penal code,
2 1931 PA 328, MCL 750.455.

3 (x) A violation of section 520b, 520c, 520d, 520e, or 520g of
4 the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c,
5 750.520d, 750.520e, and 750.520g.

6 **(xi) A VIOLATION OF SECTION 539D OF THE MICHIGAN PENAL CODE,**
7 **1931 PA 328, MCL 750.539D.**

8 **(xii)** ~~(xi)~~ Any other violation of a law of this state or a local
9 ordinance of a municipality that by its nature constitutes a sexual
10 offense against an individual who is less than 18 years of age.

11 **(xiii)** ~~(xii)~~ An offense committed by a person who was, at the
12 time of the offense, a sexually delinquent person as defined in
13 section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

14 **(xiv)** ~~(xiii)~~ An attempt or conspiracy to commit an offense
15 described in subparagraphs (i) to ~~(xii)~~ **(xiii)**.

16 **(xv)** ~~(xiv)~~ An offense substantially similar to an offense
17 described in subparagraphs (i) to ~~(xiii)~~ **(xiv)** under a law of the
18 United States, any state, or any country or under tribal or
19 military law.

20 (f) "Municipality" means a city, village, or township of this
21 state.

22 (g) "Residence", as used in this act, for registration and
23 voting purposes means that place at which a person habitually
24 sleeps, keeps his or her personal effects, and has a regular place
25 of lodging. If a person has more than 1 residence, or if a wife has
26 a residence separate from that of the husband, that place at which
27 the person resides the greater part of the time shall be his or her

1 official residence for the purposes of this act. This section shall
2 not be construed to affect existing judicial interpretation of the
3 term residence.

4 (h) "Student" means an individual enrolled on a full- or part-
5 time basis in a public or private educational institution,
6 including, but not limited to, a secondary school, trade school,
7 professional institution, or institution of higher education.

8 Sec. 4a. (1) An individual required to be registered under
9 this act who is not a resident of this state shall report his or
10 her status in person to the local law enforcement agency or
11 sheriff's department having jurisdiction over a campus of an
12 institution of higher education, or to the department post nearest
13 to that campus, if any of the following occur:

14 (a) Regardless of whether he or she is financially compensated
15 or receives any governmental or educational benefit, the individual
16 is or becomes a full- or part-time employee, contractual provider,
17 or volunteer with that institution of higher education and his or
18 her position will require that he or she be present on that campus
19 for 14 or more consecutive days or 30 or more total days in a
20 calendar year.

21 (b) The individual is or becomes an employee of a contractual
22 provider described in subdivision (a) and his or her position will
23 require that he or she be present on that campus for 14 or more
24 consecutive days or 30 or more total days in a calendar year.

25 (c) The status described in subdivision (a) or (b) is
26 discontinued.

27 (d) The individual changes the campus on which he or she is an

1 employee, a contractual provider, an employee of a contractual
2 provider, or a volunteer as described in subdivision (a) or (b).

3 (e) The individual is or enrolls as a student with that
4 institution of higher education or the individual discontinues that
5 enrollment.

6 (f) As part of his or her course of studies at an institution
7 of higher education in this state, the individual is present at any
8 other location in this state, another state, a territory or
9 possession of the United States, or another country for 14 or more
10 consecutive days or 30 or more total days in a calendar year, or
11 the individual discontinues his or her studies at that location.

12 (2) An individual required to be registered under this act who
13 is a resident of this state shall report his or her status in
14 person to the local law enforcement agency or sheriff's department
15 having jurisdiction where his or her new residence or domicile is
16 located or the department post nearest to the individual's new
17 residence or domicile, if any of the events described under
18 subsection (1) occur.

19 (3) The report required under subsections (1) and (2) shall be
20 made as follows:

21 (a) For an individual registered under this act before October
22 1, 2002 who is required to make his or her first report under
23 subsections (1) and (2), not later than January 15, 2003.

24 (b) For an individual who is an employee, a contractual
25 provider, an employee of a contractual provider, or a volunteer on
26 that campus on October 1, 2002, or who is a student on that campus
27 on October 1, 2002, who is subsequently required to register under

1 this act, on the date he or she is required to register under this
2 act.

3 (c) Except as provided under subdivisions (a) and (b), within
4 ~~10-3~~ days after the individual becomes an employee, a contractual
5 provider, an employee of a contractual provider, or a volunteer on
6 that campus, or discontinues that status, or changes location, or
7 within ~~10-3~~ days after he or she enrolls or discontinues his or her
8 enrollment as a student on that campus including study in this
9 state or another state, a territory or possession of the United
10 States, or another country.

11 (4) The additional registration reports required under this
12 section shall be made in the time periods described in section
13 5a(4)(a) and (b) for reports under that section.

14 (5) The local law enforcement agency, sheriff's department, or
15 department post to which an individual reports under this section
16 shall require the individual to pay the registration fee required
17 under section 5a or section 7(1) and to present written
18 documentation of employment status, contractual relationship,
19 volunteer status, or student status. Written documentation under
20 this subsection may include, but need not be limited to, any of the
21 following:

22 (a) A W-2 form, pay stub, or written statement by an employer.

23 (b) A contract.

24 (c) A student identification card or student transcript.

25 Sec. 5. (1) An individual required to be registered under this
26 act shall notify the local law enforcement agency or sheriff's
27 department having jurisdiction where his or her new residence or

1 domicile is located or the department post of the individual's new
2 residence or domicile within ~~10~~3 days after the individual changes
3 or vacates his or her residence, domicile, or place of work or
4 education, including any change required to be reported under
5 section 4a.

6 (2) If an individual who is incarcerated in a state
7 correctional facility and is required to be registered under this
8 act is granted parole or is due to be released upon completion of
9 his or her maximum sentence, the department of corrections, before
10 releasing the individual, shall provide notice of the location of
11 the individual's proposed place of residence or domicile to the
12 sheriff's department having jurisdiction over that location or to
13 the appropriate state police department post.

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

20 (a) The individual is transferred to a community residential
21 program.

22 (b) The individual is transferred into a minimum custody
23 correctional facility of any kind, including a correctional camp or
24 work camp.

25 (4) An individual required to be registered under this act
26 shall notify the department on a form prescribed by the department
27 not later than ~~10~~3 days before he or she changes his or her

1 domicile or residence to another state. The individual shall
2 indicate the new state and, if known, the new address. The
3 department shall update the registration and compilation databases
4 and promptly notify the appropriate law enforcement agency and any
5 applicable sex or child offender registration authority in the new
6 state.

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

16 (6) An individual registered under this act shall comply with
17 the verification procedures and proof of residence procedures
18 prescribed in sections 4a and 5a.

19 (7) Except as provided in subsections (8) and (9), an
20 individual shall comply with this section for 25 years after the
21 date of initially registering or, if the individual is in a state
22 correctional facility, for 10 years after release from the state
23 correctional facility, whichever is longer.

24 (8) Except as provided in subsection (9), an individual shall
25 comply with this section for life if the individual is convicted of
26 any of the following or a substantially similar offense under a law
27 of the United States, any state, or any country or under tribal or

1 military law:

2 (a) A violation of section 520b of the Michigan penal code,
3 1931 PA 328, MCL 750.520b.

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

6 (c) A violation of section 349 of the Michigan penal code,
7 1931 PA 328, MCL 750.349, if the victim is less than 18 years of
8 age.

9 (d) A violation of section 350 of the Michigan penal code,
10 1931 PA 328, MCL 750.350.

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

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

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

23 (9) An individual who is ordered to register as provided in
24 section 8d shall register subject to that section.

25 Sec. 5a. (1) Not later than December 1, 2004, the department
26 shall mail a notice to each individual registered under this act
27 who is not in a state correctional facility explaining the

1 individual's duties under this section and this act as amended and
2 the procedure for registration, notification, and verification and
3 paying the registration fee prescribed under subsection (7) or
4 section 7(1).

5 (2) Upon the release of an individual registered under this
6 act who is in a state correctional facility, the department of
7 corrections shall provide written notice to that individual
8 explaining his or her duties under this section and this act as
9 amended and the procedure for registration, notification, and
10 verification and payment of the registration fee prescribed under
11 subsection (7) or section 7(1). The individual shall sign and date
12 the notice. The department of corrections shall maintain a copy of
13 the signed and dated notice in the individual's file. The
14 department of corrections shall forward the original notice to the
15 department within 30 days, regardless of whether the individual
16 signs it.

17 (3) Not later than January 15, 2000, an individual registered
18 under this act who is not incarcerated shall report in person to
19 the local law enforcement agency or sheriff's department having
20 jurisdiction where he or she is domiciled or resides or to the
21 department post in or nearest to the county where he or she is
22 domiciled or resides. The individual shall present proof of
23 domicile or residence and update any information that changed since
24 registration, including information that is required to be reported
25 under section 4a. An individual registered under this act who is
26 incarcerated on January 15, 2000 shall report under this subsection
27 not less than 10 days after he or she is released.

1 (4) Except as provided in subsection (5), following initial
2 verification under subsection (3), or registration under this act
3 after January 15, 2000, an individual required to be registered
4 under this act who is not incarcerated shall report in person to
5 the local law enforcement agency or sheriff's department having
6 jurisdiction where he or she is domiciled or resides or to the
7 department post in or nearest to the county where he or she is
8 domiciled or resides for verification of domicile or residence as
9 follows:

10 (a) If the person is registered only for 1 or more listed
11 offenses that are misdemeanors, not earlier than January 1 or later
12 than January 15 of each year after the initial verification or
13 registration. As used in this subdivision, "misdemeanor" means that
14 term as defined in section 1 of chapter I of the code of criminal
15 procedure, 1927 PA 175, MCL 761.1.

16 (b) If the person is registered for 1 or more listed offenses
17 that are felonies, not earlier than the first day or later than the
18 fifteenth day of each April, July, October, and January following
19 initial verification or registration. As used in this subdivision,
20 "felony" means that term as defined in section 1 of chapter I of
21 the code of criminal procedure, 1927 PA 175, MCL 761.1.

22 (5) The continued reporting requirements of this section
23 following initial registration do not apply to an individual
24 convicted as a juvenile of committing an offense described in
25 section 8c(15)(a) or (b) committed by the individual when he or she
26 was less than 17 years of age, except that the individual shall
27 report a change in his or her residence within this state or to

1 another state as provided in this section within ~~10~~3 days after
2 the change of residence is made. If the individual fails to file a
3 petition under section 8c before he or she becomes 18 years of age,
4 or if his or her petition is denied by the court, the individual
5 shall report as otherwise required under this section.

6 (6) When an individual reports under subsection (3) or (4), an
7 officer or authorized employee of the local law enforcement agency,
8 sheriff's department, or department post shall verify the
9 individual's residence or domicile and any information required to
10 be reported under section 4a. The officer or authorized employee
11 shall sign and date a verification form. The officer shall give a
12 copy of the signed form showing the date of verification to the
13 individual. The officer or employee shall forward verification
14 information to the department by the law enforcement information
15 network in the manner the department prescribes. The department
16 shall revise the databases maintained under section 8 as necessary
17 and shall indicate verification in the compilation under section
18 8(2).

19 (7) Except as otherwise provided in section 5b, beginning
20 October 16, 2004, an individual who reports as prescribed under
21 subsection (3) or (4) and who has not already paid the fee
22 prescribed under section 7(1) shall pay a \$35.00 registration fee.
23 An individual shall only be required to pay a fee once under this
24 subsection.

25 (8) An individual required to be registered under this act
26 shall maintain either a valid operator's or chauffeur's license
27 issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to

1 257.923, or an official state personal identification card issued
2 under 1972 PA 222, MCL 28.291 to 28.300, with the individual's
3 current address. The license or card may be used as proof of
4 domicile or residence under this section. In addition, the officer
5 or authorized employee may require the individual to produce
6 another document bearing his or her name and address, including,
7 but not limited to, voter registration or a utility or other bill.
8 The department may specify other satisfactory proof of domicile or
9 residence.

10 (9) Not earlier than January 1, 2000 or later than January 15,
11 2000, an individual registered under this act who is not
12 incarcerated shall report in person to a secretary of state office
13 and have his or her digitized photograph taken. An individual
14 registered under this act who is incarcerated on January 15, 2000
15 shall report under this subsection not less than 10 days after he
16 or she is released. The individual is not required to report under
17 this subsection if he or she had a digitized photograph taken for
18 an operator's or chauffeur's license or official state personal
19 identification card before January 1, 2000, or within 2 years
20 before he or she is released. The photograph shall be used on the
21 individual's operator's or chauffeur's license or official state
22 personal identification card. The individual shall have a new
23 photograph taken when he or she renews the license or
24 identification card as provided by law. The secretary of state
25 shall make the digitized photograph available to the department for
26 a registration under this act.

27 (10) If an individual does not report under subsection (3) or

1 (4) or section 4a, the department shall notify the local law
2 enforcement agency, sheriff's department, or department post. An
3 appearance ticket may be issued for the individual's failure to
4 report as provided in sections 9a to 9g of chapter IV of the code
5 of criminal procedure, 1927 PA 175, MCL 764.9a to 764.9g.

6 (11) The department shall prescribe the form for the notices
7 and verification procedures required under this section.

8 Sec. 7. (1) A registration under this act shall be made on a
9 form provided by the department and shall be forwarded to the
10 department in the format the department prescribes, along with a
11 \$35.00 registration fee for each original registration, except as
12 otherwise provided in section 5b. A registration shall contain all
13 of the following:

14 (a) The individual's name, social security number, date of
15 birth, and address or expected address. An individual who is in a
16 witness protection and relocation program is only required to use
17 the name and identifying information reflecting his or her new
18 identity in a registration under this act. The registration and
19 compilation databases shall not contain any information identifying
20 the individual's prior identity or locale. The department shall
21 request each individual to provide his or her date of birth if it
22 is not included in the registration, and that individual shall
23 comply with the request within 10 days.

24 (b) A brief summary of the individual's convictions for listed
25 offenses regardless of when the conviction occurred, including
26 where the offense occurred and the original charge if the
27 conviction was for a lesser offense.

1 (c) A complete physical description of the individual.

2 (d) The photograph required under section 5a.

3 (e) The individual's fingerprints if not already on file with
4 the department. An individual required to be registered on
5 September 1, 1999 shall have his or her fingerprints taken not
6 later than September 12, 1999 if not already on file with the
7 department. The department shall forward a copy of the individual's
8 fingerprints to the federal bureau of investigation if not already
9 on file with that bureau.

10 (f) Information that is required to be reported under section
11 4a.

12 **(G) IF THE INDIVIDUAL IS AN OWNER OF A MOTOR VEHICLE OR IS**
13 **PERMITTED TO OPERATE A MOTOR VEHICLE BELONGING TO ANOTHER PERSON,**
14 **THE MAKE, MODEL, YEAR, AND REGISTRATION PLATE NUMBER OF EACH OF**
15 **THOSE MOTOR VEHICLES.**

16 (2) A registration may contain the individual's blood type and
17 whether a DNA identification profile of the individual is
18 available.

19 (3) The form used for registration or verification under this
20 act shall contain a written statement that explains the duty of the
21 individual being registered to provide notice of a change of
22 address under section 5, the procedures for providing that notice,
23 and the verification procedures under section 5a.

24 (4) The individual shall sign a registration, notice, and
25 verification. However, the registration, notice, or verification
26 shall be forwarded to the department regardless of whether the
27 individual signs it or pays the registration fee required under

1 subsection (1).

2 (5) The officer, court, or an employee of the agency
3 registering the individual or receiving or accepting a registration
4 under section 4 shall sign the registration form.

5 (6) An individual shall not knowingly provide false or
6 misleading information concerning a registration, notice, or
7 verification.

8 (7) The department shall prescribe the form for a notification
9 required under section 5 and the format for forwarding the
10 notification to the department.

11 (8) The department shall promptly provide registration,
12 notice, and verification information to the federal bureau of
13 investigation and to local law enforcement agencies, sheriff's
14 departments, department posts, and agencies of other states
15 requiring the information, as provided by law.

16 Sec. 8. (1) The department shall maintain a computerized
17 database of registrations and notices required under this act.

18 (2) The department shall maintain a computerized database
19 separate from that described in subsection (1) to implement section
20 10(2) and (3). Except as provided in subsection (3), the database
21 shall consist of a compilation of individuals registered under this
22 act. **THE DATABASE SHALL ALSO INCLUDE THE COMPLETE CRIMINAL HISTORY**
23 **OF EACH INDIVIDUAL REQUIRED TO BE REGISTERED UNDER THIS ACT AS**
24 **SHOWN BY THE RECORDS OF THE DEPARTMENT.**

25 (3) The database described in subsection (2) shall not include
26 the following individuals:

27 (a) An individual registered solely because he or she had 1 or

1 more dispositions for a listed offense entered under section 18 of
2 chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18,
3 in a case that was not designated as a case in which the individual
4 was to be tried in the same manner as an adult under section 2d of
5 chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2d.
6 Except as provided in subdivision (b), the exclusion for juvenile
7 dispositions does not apply to a disposition for a violation of
8 section 520b or 520c of the Michigan penal code, 1931 PA 328, MCL
9 750.520b and 750.520c, after the individual becomes 18 years of
10 age.

11 (b) An individual who is exempt under section 8d from that
12 database.

13 (4) The compilation of individuals shall be indexed
14 numerically by zip code area. Within each zip code area, the
15 compilation shall contain all of the following information:

16 (a) The name and aliases, address, physical description, and
17 birth date of each individual registered under this act who is
18 included in the compilation and who resides in that zip code area
19 and any listed offense of which the individual has been convicted.

20 (b) The name and campus location of each institution of higher
21 education to which the individual is required to report under
22 section 4a.

23 (c) Beginning May 1, 2005, the photograph of each individual
24 registered under this act. The department shall obtain the
25 photographs submitted under section 5a from the secretary of state
26 for purposes of implementing this subdivision.

27 **(D) ALL CRIMINAL CONVICTIONS OF EACH INDIVIDUAL REGISTERED**

1 UNDER THIS ACT AS SHOWN BY THE RECORDS OF THE DEPARTMENT.

2 (E) THE NAME AND ADDRESS OF THE INDIVIDUAL'S EMPLOYER.

3 (F) THE MAKE, MODEL, YEAR, AND REGISTRATION PLATE NUMBER OF
4 EACH MOTOR VEHICLE THAT IS OWNED BY THE INDIVIDUAL OR THAT HE OR
5 SHE IS PERMITTED TO OPERATE.

6 (5) The department shall update the compilation with new
7 registrations, deletions from registrations, and address changes at
8 the same time those changes are made to the database described in
9 subsection (1). The department shall make the compilation available
10 to each department post, local law enforcement agency, and
11 sheriff's department by the law enforcement information network.
12 Upon request by a department post, local law enforcement agency, or
13 sheriff's department, the department shall provide to that post,
14 agency, or sheriff's department the information from the
15 compilation in printed form for the zip code areas located in whole
16 or in part within the post's, agency's, or sheriff's department's
17 jurisdiction. The department shall provide the ability to conduct a
18 computerized search of the compilation based upon the name and
19 campus location of an institution of higher education described in
20 subsection (4)(b).

21 (6) The department shall make the compilation or information
22 from the compilation available to a department post, local law
23 enforcement agency, sheriff's department, and the public by
24 electronic, computerized, or other similar means accessible to the
25 post, agency, or sheriff's department. The electronic,
26 computerized, or other similar means shall provide for both a
27 search by name and by zip code.

1 (7) If a court determines that the public availability under
2 section 10 of any information concerning individuals registered
3 under this act, including names and aliases, addresses, physical
4 descriptions, **CRIMINAL HISTORY**, or dates of birth, violates the
5 constitution of the United States or this state, the department
6 shall revise the compilation in subsection (2) so that it does not
7 contain that information.