

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

SEX OFFENSE/REGISTRY. Provides for certain procedures relative to the end of registration and notification requirements of convicted sex offenders and child predators.

DIGEST

Present law requires certain persons convicted of certain sex offenses or criminal offenses against a victim who is a minor to register as a sex offender in the Sex Offender and Child Predator Registry and to provide notification to certain persons. The duration of such registration and notification requirements depends upon the offense for which the offender was convicted.

Proposed law retains present law and provides for the procedure by which an offender's registration and notification period end date is determined.

In this regard, proposed law provides for the following:

- (1) Requires the office of state police and the sheriff of each parish in which the offender resides to upload the offender's registration history to the Sex Offender and Child Predator Registry and requires the Dept. of Justice (DOJ) to review the offender's criminal history and registration history and post a prospective registration end date to the offender's file in the Sex Offender and Child Predator Registry.
- (2) Requires the DOJ to revise the registration and notification period end date if the offender's criminal history or registration history subsequently reflects actions or inaction that, pursuant to present law, requires the running of the registration period to begin anew or to be suspended. Further requires the DOJ to give the offender written notice of the revised end date.
- (3) Authorizes the offender to seek review of the determination made by the DOJ and provides the procedure and requirements for requesting such review.
- (4) Provides that the registration and notification period end date calculated by the DOJ shall be set in accordance with the provisions of present law regarding sex offender registration and notification and shall be binding unless overturned by the court pursuant to the procedures set forth in proposed law.
- (5) Authorizes the offender to file a petition for injunctive relief or for declaratory judgment of the registration and notification period end date determined by the DOJ.
- (6) When an offender has complied with all registration and notification requirements for the requisite amount of time pursuant to the provisions of present law, requires the DOJ to issue a formal letter verifying that the offender has completed his requirements.

Effective and operative upon enactment of H.B. 637 of 2014 R.S. which provides a funding source for the purposes of the Act.

(Adds R.S. 15:544.2)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Amended the time period that the end date determination process begins to at least 14 years and at least 24 years after conviction or latest release from incarceration.
2. Provided that the DOJ or its authorized agent is the entity that is required to provide notice to the offender of the end date determination and of the offender's right to seek review of the determination.
3. Provided that the DOJ or its authorized agent is the entity that shall enter the determined end date and the date on which notice of the end date determination was sent to the offender into the offender's file in the Sex Offender and Child Predator Registry.
4. Added language that provides that if the application for the request for review of the end date determination does not include all of the information required by proposed law, the application will be rejected and the offender shall be given notice of the rejection.

House Floor Amendments to the engrossed bill.

1. Made technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the reengrossed bill

1. Changes entity required to give the offender written notice of the revised end date from sheriff to DOJ.

Committee Amendments Proposed by Senate Committee on Finance to the reengrossed bill

1. Changes effective date to be effective and operative upon enactment of H.B. 637 of 2014 R.S. which provides funding source for the purposes of the Act.