

**HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 581**

A bill to amend 1994 PA 295, entitled  
"Sex offenders registration act,"  
by amending sections 5, 5a, 5b, 7, 8, 33, and 34 (MCL 28.725,  
28.725a, 28.725b, 28.727, 28.728, 28.733, and 28.734), sections 5  
and 5b as amended by 2011 PA 17, section 5a as amended by 2013 PA  
149, section 7 as amended by 2011 PA 18, section 8 as amended by  
2013 PA 2, section 33 as added by 2005 PA 127, and section 34 as  
amended by 2005 PA 322.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 5. (1) An individual required to be registered under this  
2 act who is a resident of this state shall report in person and  
3 notify the registering authority having jurisdiction where his or  
4 her residence or domicile is located immediately after any of the  
5 following occur:

6       (a) The individual changes or vacates his or her residence or

1 domicile.

2 (b) The individual changes his or her place of employment, or  
3 employment is discontinued.

4 (c) The individual enrolls as a student with an institution of  
5 higher education, or enrollment is discontinued.

6 (d) The individual changes his or her name.

7 (e) The individual intends to temporarily reside at any place  
8 other than his or her residence for more than 7 days.

9 ~~—— (f) The individual establishes any electronic mail or instant~~  
10 ~~message address, or any other designations used in internet~~  
11 ~~communications or postings.~~

12 ~~—— (g) The individual purchases or begins to regularly operate~~  
13 ~~any vehicle, and when ownership or operation of the vehicle is~~  
14 ~~discontinued.~~

15 (F) ~~(h)~~ Any change required to be reported under section 4a.

16 (2) An individual required to be registered under this act who  
17 is not a resident of this state but has his or her place of  
18 employment in this state shall report in person and notify the  
19 registering authority having jurisdiction where his or her place of  
20 employment is located or the department post of the individual's  
21 place of employment immediately after the individual changes his or  
22 her place of employment or employment is discontinued.

23 (3) If an individual who is incarcerated in a state  
24 correctional facility and is required to be registered under this  
25 act is granted parole or is due to be released upon completion of  
26 his or her maximum sentence, the department of corrections, before  
27 releasing the individual, shall provide notice of the location of

1 the individual's proposed place of residence or domicile to the  
2 department of state police.

3 (4) If an individual who is incarcerated in a county jail and  
4 is required to be registered under this act is due to be released  
5 from custody, the sheriff's department, before releasing the  
6 individual, shall provide notice of the location of the  
7 individual's proposed place of residence or domicile to the  
8 department of state police.

9 (5) Immediately after either of the following occurs, the  
10 department of corrections shall notify the local law enforcement  
11 agency or sheriff's department having jurisdiction over the area to  
12 which the individual is transferred or the department post of the  
13 transferred residence or domicile of an individual required to be  
14 registered under this act:

15 (a) The individual is transferred to a community residential  
16 program.

17 (b) The individual is transferred into a level 1 correctional  
18 facility of any kind, including a correctional camp or work camp.

19 (6) An individual required to be registered under this act who  
20 is a resident of this state shall report in person and notify the  
21 registering authority having jurisdiction where his or her  
22 residence or domicile is located immediately before he or she  
23 changes his or her domicile or residence to another state. The  
24 individual shall indicate the new state and, if known, the new  
25 address. The department shall update the registration and  
26 compilation databases and promptly notify the appropriate law  
27 enforcement agency and any applicable sex or child offender

1 registration authority in the new state.

2 (7) An individual required to be registered under this act who  
3 is a resident of this state shall report in person and notify the  
4 registering authority having jurisdiction where his or her  
5 residence or domicile is located not later than 21 days before he  
6 or she changes his or her domicile or residence to another country  
7 or travels to another country for more than 7 days. The individual  
8 shall state the new country of residence or country of travel and  
9 the address of his or her new domicile or residence or place of  
10 stay, if known. The department shall update the registration and  
11 compilation databases and promptly notify the appropriate law  
12 enforcement agency and any applicable sex or child offender  
13 registration authority.

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

23 (9) An individual registered under this act shall comply with  
24 the verification procedures and proof of residence procedures  
25 prescribed in sections 4a and 5a.

26 (10) Except as otherwise provided in this section and section  
27 8c, a tier I offender shall comply with this section for 15 years.

1           (11) Except as otherwise provided in this section and section  
2 8c, a tier II offender shall comply with this section for 25 years.

3           (12) Except as otherwise provided in this section and section  
4 8c, a tier III offender shall comply with this section for life.

5           (13) The registration periods under this section exclude any  
6 period of incarceration for committing a crime and any period of  
7 civil commitment.

8           (14) For an individual who was previously convicted of a  
9 listed offense for which he or she was not required to register  
10 under this act but who is convicted of any felony on or after July  
11 1, 2011, any period of time that he or she was not incarcerated for  
12 that listed offense or that other felony and was not civilly  
13 committed counts toward satisfying the registration period for that  
14 listed offense as described in this section. If those periods equal  
15 or exceed the registration period described in this section, the  
16 individual has satisfied his or her registration period for the  
17 listed offense and is not required to register under this act. If  
18 those periods are less than the registration period described in  
19 this section for that listed offense, the individual shall comply  
20 with this section for the period of time remaining.

21       Sec. 5a. (1) The department shall mail a notice to each  
22 individual registered under this act who is not in a state  
23 correctional facility explaining the individual's duties under this  
24 act as amended.

25       (2) Upon the release of an individual registered under this  
26 act who is in a state correctional facility, the department of  
27 corrections shall provide written notice to that individual

explaining his or her duties under this section and this act as amended and the procedure for registration, notification, and verification and payment of the registration fee prescribed under subsection (6) or section 7(1). The individual shall sign and date the notice. The department of corrections shall maintain a copy of the signed and dated notice in the individual's file. The department of corrections shall forward the original notice to the department immediately, regardless of whether the individual signs it.

(3) Subject to subsection (4), an individual required to be registered under this act who is not incarcerated shall report in person to the registering authority where he or she is domiciled or resides for verification of domicile or residence as follows:

(a) If the individual is a tier I offender, the individual shall report once each year during the individual's month of birth.

(b) If the individual is a tier II offender, the individual shall report twice each year according to the following schedule:

**Birth Month**

**Reporting Months**

January

January and July

February

February and August

March

March and September

April

April and October

May

May and November

June

June and December

July

January and July

August

February and August

September

March and September

1	October	April and October
2	November	May and November
3	December	June and December

4 (c) If the individual is a tier III offender, the individual  
 5 shall report 4 times each year according to the following schedule:

6	<u>Birth Month</u>	<u>Reporting Months</u>
7	January	January, April, July, and October
8	February	February, May, August, and November
9	March	March, June, September, and December
10	April	April, July, October, and January
11	May	May, August, November, and February
12	June	June, September, December, and March
13	July	July, October, January, and April
14	August	August, November, February, and May
15	September	September, December, March, and June
16	October	October, January, April, and July
17	November	November, February, May, and August
18	December	December, March, June, and September

19 (4) A report under subsection (3) shall be made no earlier  
 20 than the first day or later than the last day of the month in which  
 21 the individual is required to report. However, if the registration  
 22 period for that individual expires during the month in which he or  
 23 she is required to report under this section, the individual shall  
 24 report during that month on or before the date his or her  
 25 registration period expires. When an individual reports under  
 26 subsection (3), the individual shall review all registration

1 information for accuracy.

2 (5) When an individual reports under subsection (3), an  
3 officer or authorized employee of the registering authority shall  
4 verify the individual's residence or domicile and any information  
5 required to be reported under section ~~4a.~~7. The officer or  
6 authorized employee shall also determine whether the individual's  
7 photograph required under this act matches the appearance of the  
8 individual sufficiently to properly identify him or her from that  
9 photograph. If not, the officer or authorized employee shall  
10 require the individual to immediately obtain a current photograph  
11 under this section. When all of the verification information has  
12 been provided, the officer or authorized employee shall review that  
13 information with the individual and make any corrections,  
14 additions, or deletions the officer or authorized employee  
15 determines are necessary based on the review. The officer or  
16 authorized employee shall sign and date a verification receipt. The  
17 officer or authorized employee shall give a copy of the signed  
18 receipt showing the date of verification to the individual. The  
19 officer or authorized employee shall forward verification  
20 information to the department in the manner the department  
21 prescribes. The department shall revise the law enforcement  
22 database and public ~~internet~~**INTERNET** website maintained under  
23 section 8 as necessary and shall indicate verification in the  
24 public ~~internet~~**INTERNET** website maintained under section 8(2).

25 (6) Except as otherwise provided in section 5b, an individual  
26 who reports as prescribed under subsection (3) shall pay a \$50.00  
27 registration fee as follows:



1 (a) Upon initial registration.

2 (b) Annually following the year of initial registration. The  
3 payment of the registration fee under this subdivision shall be  
4 made at the time the individual reports in the first reporting  
5 month for that individual as set forth in subsection (3) of each  
6 year in which the fee applies, unless an individual elects to  
7 prepay an annual registration fee for any future year for which an  
8 annual registration fee is required. Prepaying any annual  
9 registration fee shall not change or alter the requirement of an  
10 individual to report as set forth in subsection (3). The payment of  
11 the registration fee under this subdivision is not required to be  
12 made for any registration year that has expired before January 1,  
13 2014 or to be made by any individual initially required to register  
14 under this act after January 1, 2019. The registration fee required  
15 to be paid under this subdivision shall not be prorated on grounds  
16 that the individual will complete his or her registration period  
17 after the month in which the fee is due.

18 (c) The sum of the amounts required to be paid under  
19 subdivisions (a) and (b) shall not exceed \$550.00.

20 (7) An individual required to be registered under this act  
21 shall maintain either a valid operator's or chauffeur's license  
22 issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to  
23 257.923, or an official state personal identification card issued  
24 under 1972 PA 222, MCL 28.291 to 28.300, with the individual's  
25 current address. The license or card may be used as proof of  
26 domicile or residence under this section. In addition, the officer  
27 or authorized employee may require the individual to produce

1 another document bearing his or her name and address, including,  
2 but not limited to, voter registration or a utility or other bill.  
3 The department may specify other satisfactory proof of domicile or  
4 residence.

5 (8) An individual registered under this act who is  
6 incarcerated shall report to the secretary of state under this  
7 subsection immediately after he or she is released to have his or  
8 her digitalized photograph taken. The individual is not required to  
9 report under this subsection if he or she had a digitized  
10 photograph taken for an operator's or chauffeur's license or  
11 official state personal identification card before January 1, 2000,  
12 or within 2 years before he or she is released unless his or her  
13 appearance has changed from the date of that photograph. Unless the  
14 person is a nonresident, the photograph shall be used on the  
15 individual's operator's or chauffeur's license or official state  
16 personal identification card. The individual shall have a new  
17 photograph taken when he or she renews the license or  
18 identification card as provided by law, or as otherwise provided in  
19 this act. The secretary of state shall make the digitized  
20 photograph available to the department for a registration under  
21 this act.

22 (9) If an individual does not report under this section or  
23 under section 4a, the department shall notify all registering  
24 authorities as provided in section 8a and initiate enforcement  
25 action as set forth in that section.

26 (10) The department shall prescribe the form for the notices  
27 and verification procedures required under this section.

1       Sec. 5b. (1) Of the money collected by a court, local law  
2 enforcement agency, sheriff's department, or department post from  
3 each registration fee prescribed under this act, \$30.00 shall be  
4 forwarded to the department, which shall deposit the money in the  
5 sex offenders registration fund created under subsection (2), and  
6 \$20.00 shall be retained by the court, local law enforcement  
7 agency, sheriff's department, or department post.

8       (2) The sex offenders registration fund is created as a  
9 separate fund in the department of treasury. The state treasurer  
10 shall credit the money received from the payment of the  
11 registration fee prescribed under this act to the sex offenders  
12 registration fund. Money credited to the fund shall only be used by  
13 the department for training concerning, and the maintenance and  
14 automation of, the law enforcement database, public ~~internet~~  
15 **INTERNET** website, information required under section 8, or  
16 notification and offender registration duties under section 4a.  
17 Money in the sex offenders registration fund at the close of the  
18 fiscal year shall remain in the fund and shall not lapse to the  
19 general fund.

20       (3) If an individual required to pay a registration fee under  
21 this act is indigent, the registration fee shall be waived ~~for a~~  
22 ~~period of 90 days.~~ **AS FOLLOWS:**

23       **(A) FOR THE INITIAL REGISTRATION FEE REQUIRED UNDER SECTION**  
24 **5A(6) (A), THE FEE SHALL BE WAIVED UNTIL THE FIRST REPORTING MONTH**  
25 **IN WHICH THE INDIVIDUAL IS NO LONGER INDIGENT.**

26       **(B) FOR ANY YEAR IN WHICH AN ANNUAL REGISTRATION FEE IS**  
27 **REQUIRED UNDER SECTION 5A(6) (B), THE FEE SHALL BE PERMANENTLY**

1 **WAIVED.**

2       (4) The burden is on the individual claiming indigence to  
3 prove the fact of indigence to the satisfaction of the local law  
4 enforcement agency, sheriff's department, or department post where  
5 the individual is reporting.

6       (5) ~~(4)~~—Payment of the registration fee prescribed under this  
7 act shall be made in the form and by means prescribed by the  
8 department. Upon payment of the registration fee prescribed under  
9 this act, the officer or employee shall forward verification of the  
10 payment to the department in the manner the department prescribes.  
11 The department shall revise the law enforcement database and public  
12 ~~internet~~**INTERNET** website maintained under section 8 as necessary  
13 and shall indicate verification of payment in the law enforcement  
14 database under section 8(1).

15       Sec. 7. (1) Registration information obtained under this act  
16 shall be forwarded to the department in the format the department  
17 prescribes. Except as provided in section 5b(3), a \$50.00  
18 registration fee shall accompany each original registration. All of  
19 the following information shall be obtained or otherwise provided  
20 for registration purposes:

21       (a) The individual's legal name and any aliases, nicknames,  
22 ethnic or tribal names, or other names by which the individual is  
23 or has been known. An individual who is in a witness protection and  
24 relocation program is only required to use the name and identifying  
25 information reflecting his or her new identity in a registration  
26 under this act. The registration and compilation databases shall  
27 not contain any information identifying the individual's prior

1 identity or locale.

2 (b) The individual's social security number and any social  
3 security numbers or alleged social security numbers previously used  
4 by the individual.

5 (c) The individual's date of birth and any alleged dates of  
6 birth previously used by the individual.

7 (d) The address where the individual resides or will reside.  
8 If the individual does not have a residential address, information  
9 under this subsection shall identify the location or area used or  
10 to be used by the individual in lieu of a residence or, if the  
11 individual is homeless, the village, city, or township where the  
12 person spends or will spend the majority of his or her time.

13 (e) The name and address of any place of temporary lodging  
14 used or to be used by the individual during any period in which the  
15 individual is away, or is expected to be away, from his or her  
16 residence for more than 7 days. Information under this subdivision  
17 shall include the dates the lodging is used or to be used.

18 (f) The name and address of each of the individual's  
19 employers. For purposes of this subdivision, "employer" includes a  
20 contractor and any individual who has agreed to hire or contract  
21 with the individual for his or her services. Information under this  
22 subsection shall include the address or location of employment if  
23 different from the address of the employer. If the individual lacks  
24 a fixed employment location, the information obtained under this  
25 subdivision shall include the general areas where the individual  
26 works and the normal travel routes taken by the individual in the  
27 course of his or her employment.

(g) The name and address of any school being attended by the individual and any school that has accepted the individual as a student that he or she plans to attend. For purposes of this subdivision, "school" means a public or private postsecondary school or school of higher education, including a trade school.

(h) All telephone numbers registered to the individual. ~~or routinely used by the individual.~~

(i) All electronic mail addresses and instant message **NAMES AND** addresses ~~assigned~~ **REGISTERED** to the individual. ~~or routinely used by the individual~~

**(J) ALL ELECTRONIC MAIL ADDRESSES AND INSTANT MESSAGE NAMES AND ADDRESSES ROUTINELY USED BY THE INDIVIDUAL** and all login names or other identifiers used by the individual when using any electronic mail address or instant messaging system. **AS USED IN THIS SUBDIVISION, "ROUTINELY USED" MEANS USED NOT LESS OFTEN THAN 6 TIMES PER CALENDAR YEAR.**

**(K)** ~~(j)~~ The license plate number, registration number, and description of any motor vehicle, aircraft, or vessel owned ~~or regularly operated by the individual~~ **OR REGISTERED TO THE ADDRESS WHERE THE INDIVIDUAL RESIDES** and the location at which the motor vehicle, aircraft, or vessel is habitually stored or kept.

**(L)** ~~(k)~~ The individual's driver license number or state personal identification card number.

**(M)** ~~(l)~~ A digital copy of the individual's passport and other immigration documents.

**(N)** ~~(m)~~ The individual's occupational and professional licensing information, including any license that authorizes the

1 individual to engage in any occupation, profession, trade, or  
2 business.

3 (O) ~~(n)~~—A brief summary of the individual's convictions for  
4 listed offenses regardless of when the conviction occurred,  
5 including where the offense occurred and the original charge if the  
6 conviction was for a lesser offense.

7 (P) ~~(e)~~—A complete physical description of the individual.

8 (Q) ~~(p)~~—The photograph required under section 5a.

9 (R) ~~(q)~~—The individual's fingerprints if not already on file  
10 with the department and the individual's palm prints. An individual  
11 required to be registered under this act shall have his or her  
12 fingerprints or palm prints or both taken not later than September  
13 12, 2011 if his or her fingerprints or palm prints are not already  
14 on file with the department. The department shall forward a copy of  
15 the individual's fingerprints and palm prints to the federal bureau  
16 of investigation if not already on file with that bureau.

17 (S) ~~(r)~~—Information that is required to be reported under  
18 section 4a.

19 (2) A registration shall contain all of the following:

20 (a) An electronic copy of the offender's Michigan driver  
21 license or Michigan personal identification card, including the  
22 photograph required under this act.

23 (b) The text of the provision of law that defines the criminal  
24 offense for which the sex offender is registered.

25 (c) Any outstanding arrest warrant information.

26 (d) The individual's tier classification.

27 (e) An identifier that indicates whether a DNA sample has been

1 collected and any resulting DNA profile has been entered into the  
2 federal combined DNA index system (CODIS).

3 (f) The individual's complete criminal history record,  
4 including the dates of all arrests and convictions.

5 (g) The individual's Michigan department of corrections number  
6 and status of parole, probation, or supervised release.

7 (h) The individual's federal bureau of investigation number.

8 (3) The form used for notification of duties under this act  
9 shall contain a written statement that explains the duty of the  
10 individual being registered to provide notice of changes in his or  
11 her registration information, the procedures for providing that  
12 notice, and the verification procedures under section 5a.

13 (4) The individual shall sign a registration and notice.  
14 However, the registration and notice shall be forwarded to the  
15 department regardless of whether the individual signs it or pays  
16 the registration fee required under subsection (1).

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

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

23 (7) The department shall prescribe the form for a notification  
24 required under section 5 and the format for forwarding the  
25 notification to the department.

26 (8) The department shall promptly provide registration,  
27 notice, and verification information to the ~~federal bureau of~~



1 ~~investigation~~ **FEDERAL BUREAU OF INVESTIGATION** and to local law  
2 enforcement agencies, sheriff's departments, department posts, and  
3 other registering jurisdictions, as provided by law.

4       **(9) AN INDIVIDUAL SHALL PROVIDE THE ADDITIONAL INFORMATION**  
5 **REQUIRED TO BE PROVIDED UNDER SUBSECTION (1) (J) AND (K) THE FIRST**  
6 **TIME THE INDIVIDUAL IS REQUIRED TO REGISTER AFTER THE EFFECTIVE**  
7 **DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.**

8       Sec. 8. (1) The department shall maintain a computerized law  
9 enforcement database of registrations and notices required under  
10 this act. The law enforcement database shall contain all of the  
11 following information for each individual registered under this  
12 act:

13       (a) The individual's legal name and any aliases, nicknames,  
14 ethnic or tribal names, or other names by which the individual is  
15 or has been known.

16       (b) The individual's social security number and any social  
17 security numbers or alleged social security numbers previously used  
18 by the individual.

19       (c) The individual's date of birth and any alleged dates of  
20 birth previously used by the individual.

21       (d) The address where the individual resides or will reside.  
22 If the individual does not have a residential address, information  
23 under this subsection shall identify the location or area used or  
24 to be used by the individual in lieu of a residence or, if the  
25 individual is homeless, the village, city, or township where the  
26 individual spends or will spend the majority of his or her time.

27       (e) The name and address of any place of temporary lodging

1 used or to be used by the individual during any period in which the  
2 individual is away, or is expected to be away, from his or her  
3 residence for more than 7 days. Information under this subdivision  
4 shall include the dates the lodging is used or to be used.

5 (f) The name and address of each of the individual's  
6 employers. For purposes of this subdivision, "employer" includes a  
7 contractor and any individual who has agreed to hire or contract  
8 with the individual for his or her services. Information under this  
9 subsection shall include the address or location of employment if  
10 different from the address of the employer.

11 (g) The name and address of any school being attended by the  
12 individual and any school that has accepted the individual as a  
13 student that he or she plans to attend. For purposes of this  
14 subdivision, "school" means a public or private postsecondary  
15 school or school of higher education, including a trade school.

16 (h) All telephone numbers registered to the individual. ~~or~~  
17 ~~routinely used by the individual.~~

18 (i) All electronic mail addresses and instant message  
19 addresses assigned to the individual ~~or routinely used by the~~  
20 ~~individual~~ and all login names or other identifiers used by the  
21 individual when using any electronic mail address or instant  
22 messaging system.

23 (j) The license plate number or registration number and  
24 description of any motor vehicle, aircraft, or vessel owned ~~or~~  
25 ~~regularly operated by the individual~~ **OR REGISTERED TO THE ADDRESS**  
26 **WHERE THE INDIVIDUAL RESIDES** and the location at which the motor  
27 vehicle, aircraft, or vessel is habitually stored or kept.

1 (k) The individual's driver license number or state personal  
2 identification card number.

3 (l) A digital copy of the individual's passport and other  
4 immigration documents.

5 (m) The individual's occupational and professional licensing  
6 information, including any license that authorizes the individual  
7 to engage in any occupation, profession, trade, or business.

8 (n) A brief summary of the individual's convictions for listed  
9 offenses regardless of when the conviction occurred, including  
10 where the offense occurred and the original charge if the  
11 conviction was for a lesser offense.

12 (o) A complete physical description of the individual.

13 (p) The photograph required under section 5a.

14 (q) The individual's fingerprints and palm prints.

15 (r) An electronic copy of the offender's Michigan driver  
16 license or Michigan personal identification card, including the  
17 photograph required under this act.

18 (s) The text of the provision of law that defines the criminal  
19 offense for which the sex offender is registered.

20 (t) Any outstanding arrest warrant information.

21 (u) The individual's tier classification and registration  
22 status.

23 (v) An identifier that indicates whether a DNA sample has been  
24 collected and any resulting DNA profile has been entered into the  
25 federal combined DNA index system (CODIS).

26 (w) The individual's complete criminal history record,  
27 including the dates of all arrests and convictions.

1 (x) The individual's Michigan department of corrections number  
2 and the status of his or her parole, probation, or release.

3 (y) The individual's federal bureau of investigation number.

4 (2) The department shall maintain a public ~~internet~~**INTERNET**  
5 website separate from the law enforcement database described in  
6 subsection (1) to implement section 10(2) and (3). Except as  
7 provided in subsection (4), the public ~~internet~~**INTERNET** website  
8 shall contain all of the following information for each individual  
9 registered under this act:

10 (a) The individual's legal name and any aliases, nicknames,  
11 ethnic or tribal names, or other names by which the individual is  
12 or has been known.

13 (b) The individual's date of birth.

14 (c) The address where the individual resides. If the  
15 individual does not have a residential address, information under  
16 this subsection shall identify the village, city, or township used  
17 by the individual in lieu of a residence.

18 (d) The address of each of the individual's employers. For  
19 purposes of this subdivision, "employer" includes a contractor and  
20 any individual who has agreed to hire or contract with the  
21 individual for his or her services. Information under this  
22 subsection shall include the address or location of employment if  
23 different from the address of the employer.

24 (e) The address of any school being attended by the individual  
25 and any school that has accepted the individual as a student that  
26 he or she plans to attend. For purposes of this subdivision,  
27 "school" means a public or private postsecondary school or school

1 of higher education, including a trade school.

2 (f) The license plate number or registration number and  
3 description of any motor vehicle, aircraft, or vessel owned ~~or~~  
4 ~~regularly operated by~~ the individual.

5 (g) A brief summary of the individual's convictions for listed  
6 offenses regardless of when the conviction occurred.

7 (h) A complete physical description of the individual.

8 (i) The photograph required under this act. If no photograph  
9 is available, the department shall use an arrest photograph or  
10 Michigan department of corrections photograph until a photograph as  
11 prescribed in section 5a becomes available.

12 (j) The text of the provision of law that defines the criminal  
13 offense for which the sex offender is registered.

14 (k) The individual's registration status.

15 (l) The individual's tier classification.

16 (3) The following information shall not be made available on  
17 the public ~~internet~~ **INTERNET** website described in subsection (2):

18 (a) The identity of any victim of the offense.

19 (b) The individual's social security number.

20 (c) Any arrests not resulting in a conviction.

21 (d) Any travel or immigration document numbers.

22 (e) Any electronic mail addresses and instant message  
23 addresses assigned to the individual ~~or routinely used by the~~  
24 ~~individual~~ and any login names or other identifiers used by the  
25 individual when using any electronic mail address or instant  
26 messaging system.

27 (f) The individual's driver license number or state personal

1 identification card number.

2 (4) The public ~~internet~~**INTERNET** website described in  
3 subsection (2) shall not include the following individuals:

4 (a) An individual registered solely because he or she had 1 or  
5 more dispositions for a listed offense entered under section 18 of  
6 chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18,  
7 in a case that was not designated as a case in which the individual  
8 was to be tried in the same manner as an adult under section 2d of  
9 chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2d.

10 (b) An individual registered solely because he or she was the  
11 subject of an order of disposition or other adjudication in a  
12 juvenile matter in another state or country.

13 (c) An individual registered solely because he or she was  
14 convicted of a single tier I offense, other than an individual who  
15 was convicted of a violation of any of the following:

16 (i) Section 145c(4) of the Michigan penal code, 1931 PA 328,  
17 MCL 750.145c.

18 (ii) A violation of section 335a(2)(b) of the Michigan penal  
19 code, 1931 PA 328, MCL 750.335a, if a victim is a minor.

20 (iii) Section 349b of the Michigan penal code, 1931 PA 328,  
21 MCL 750.349b, if the victim is a minor.

22 (iv) Section 539j of the Michigan penal code, 1931 PA 328, MCL  
23 750.539j, if a victim is a minor.

24 (v) An offense substantially similar to an offense described  
25 in subparagraphs (i) to ~~(v)~~**(iv)** under a law of the United States  
26 that is specifically enumerated in 42 USC 16911, under a law of any  
27 state or any country, or under tribal or military law.

1       (5) The compilation of individuals shall be indexed  
2 alphabetically by village, city, township, and county, numerically  
3 by zip code area, and geographically as determined appropriate by  
4 the department.

5       (6) The department shall update the public ~~internet~~**INTERNET**  
6 website with new registrations, deletions from registrations, and  
7 address changes at the same time those changes are made to the law  
8 enforcement database described in subsection (1). The department  
9 shall make the law enforcement database available to each  
10 department post, local law enforcement agency, and sheriff's  
11 department by the law enforcement information network. Upon request  
12 by a department post, local law enforcement agency, or sheriff's  
13 department, the department shall provide to that post, agency, or  
14 sheriff's department the information from the law enforcement  
15 database in printed form for the designated 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 law enforcement database and the public  
19 ~~internet~~**INTERNET** website based upon the name and campus location  
20 of an institution of higher education.

21       (7) The department shall make the law enforcement database  
22 available to a department post, local law enforcement agency, or  
23 sheriff's department by electronic, computerized, or other similar  
24 means accessible to the post, agency, or sheriff's department. The  
25 department shall make the public ~~internet~~**INTERNET** website  
26 available to the public by electronic, computerized, or other  
27 similar means accessible to the public. The electronic,

1 computerized, or other similar means shall provide for a search by  
2 name, village, city, township, and county designation, zip code,  
3 and geographical area.

4 (8) If a court determines that the public availability under  
5 section 10 of any information concerning individuals registered  
6 under this act violates the constitution of the United States or  
7 this state, the department shall revise the public ~~internet~~  
8 **INTERNET** website described in subsection (2) so that it does not  
9 contain that information.

10 (9) If the department determines that an individual has  
11 completed his or her registration period, including a registration  
12 period reduced by law under 2011 PA 18, or that he or she otherwise  
13 is no longer required to register under this act, the department  
14 shall remove the individual's registration information from both  
15 the law enforcement database and the public ~~internet~~**INTERNET**  
16 website within 7 days after making that determination.

17 (10) If the individual provides the department with  
18 documentation showing that he or she is required to register under  
19 this act for a violation that has been set aside under 1965 PA 213,  
20 MCL 780.621 to 780.624, or that has been otherwise expunged, the  
21 department shall note on the public ~~internet~~**INTERNET** website that  
22 the violation has been set aside or expunged.

23 Sec. 33. As used in this article:

24 (a) "Listed offense" means that term as defined in section 2  
25 of the sex offenders registration act, 1994 PA 295, MCL 28.722.

26 ~~—— (b) "Loiter" means to remain for a period of time and under~~  
27 ~~circumstances that a reasonable person would determine is for the~~



~~primary purpose of observing or contacting minors.~~

(B) ~~(e)~~—"Minor" means an individual less than 18 years of age.

(C) ~~(d)~~—"School" means a public, private, denominational, or parochial school offering developmental kindergarten, kindergarten, or any grade from 1 through 12. School does not include a home school.

(D) ~~(e)~~—"School property" means a ~~building, facility, structure, or real property owned, leased, or otherwise controlled by a school, other than a building, facility, structure, or real property that is no longer in use on a permanent or continuous basis, to which either of the following applies:~~

~~—— (i) It is used to impart educational instruction.~~

~~—— (ii) It is for use by students not more than 19 years of age for sports or other recreational activities.~~

**BUILDING, PLAYING FIELD, OR OTHER PROPERTY THAT IS USED FOR SCHOOL PURPOSES TO IMPART INSTRUCTION TO CHILDREN OR USED FOR FUNCTIONS AND EVENTS SPONSORED BY A SCHOOL, DESIGNATED BY THE SCHOOL OR SCHOOL DISTRICT AS BEING SCHOOL PROPERTY, AND CLEARLY MARKED AND IDENTIFIED AS BEING SCHOOL PROPERTY.**

(E) ~~(f)~~—"Student safety zone" means **SCHOOL PROPERTY AND** the area that lies 1,000 feet or less from **THE PROPERTY LINE OF** school property. **THE DISTANCE BETWEEN A DWELLING OR A PLACE OF WORK AND A SCHOOL SAFETY ZONE SHALL BE MEASURED FROM THE PROPERTY LINE OF A RESIDENCE OR PLACE OF WORK AND THE PROPERTY LINE OF SCHOOL PROPERTY.**

Sec. 34. (1) Except as provided in this section and section 36, an individual required to be registered under article II shall

1 not do ~~1 or more~~ **EITHER** of the following:

2 (a) Work **OR RESIDE** within a student safety zone.

3 (b) ~~Loiter within a student safety zone.~~ **INTENTIONALLY ENTER**  
4 **AND REMAIN ON SCHOOL PROPERTY, EXCEPT FOR AN ACTIVITY LISTED IN**  
5 **SUBSECTION (4).**

6 (2) An individual who violates this section is guilty of a  
7 crime as follows:

8 (a) For the first violation, the individual is guilty of a  
9 misdemeanor punishable by imprisonment for not more than 1 year or  
10 a fine of not more than \$1,000.00, or both.

11 (b) An individual who violates this section and has 1 or more  
12 prior convictions under this section is guilty of a felony  
13 punishable by imprisonment for not more than 2 years or a fine of  
14 not more than \$2,000.00, or both.

15 (3) Subsection (1)(a) does not apply to any of the following:

16 (a) An individual who was working within a student safety zone  
17 on January 1, 2006. However, this exception does not apply to an  
18 individual who initiates or maintains contact with a minor within  
19 that student safety zone.

20 (b) An individual whose place of employment is within a  
21 student safety zone solely because a school is relocated or is  
22 initially established 1,000 feet or less from the individual's  
23 place of employment. However, this exception does not apply to an  
24 individual who initiates or maintains contact with a minor within  
25 that student safety zone.

26 (c) An individual who only intermittently or sporadically  
27 enters a student safety zone for the purpose of work. However, this

1 exception does not apply to an individual who initiates or  
2 maintains contact with a minor within a student safety zone.

3 (4) THE FOLLOWING INDIVIDUALS ARE NOT CONSIDERED TO BE IN  
4 VIOLATION OF SUBSECTION (1) (B):

5 (A) A PARENT OR LEGAL GUARDIAN WHO IS ON SCHOOL PROPERTY WHILE  
6 TRANSPORTING HIS OR HER CHILD TO OR FROM THE CHILD'S SCHOOL OR TO  
7 OR FROM AN EVENT SANCTIONED BY THE CHILD'S SCHOOL.

8 (B) A PARENT OR LEGAL GUARDIAN WHO IS ON SCHOOL PROPERTY  
9 ATTENDING AN EVENT SANCTIONED BY HIS OR HER CHILD'S SCHOOL, IF THE  
10 PARENT'S OR LEGAL GUARDIAN'S CHILD IS PARTICIPATING IN THAT EVENT.

11 (C) A PARENT OR LEGAL GUARDIAN WHO IS ON SCHOOL PROPERTY FOR  
12 THE PURPOSE OF MEETING WITH AN EMPLOYEE OF THE SCHOOL REGARDING HIS  
13 OR HER CHILD ENROLLED AT THAT SCHOOL.

14 (D) AN INDIVIDUAL WHO ONLY INTERMITTENTLY OR SPORADICALLY  
15 ENTERS A STUDENT SAFETY ZONE FOR THE PURPOSE OF WORK, UNLESS THE  
16 INDIVIDUAL INITIATES OR MAINTAINS CONTACT WITH A MINOR.

17 (5) ~~(4)~~—This section does not prohibit an individual from  
18 being charged with, convicted of, or punished for any other  
19 violation of law that is committed by that individual while  
20 violating this section.

21 (6) ~~(5)~~—Nothing in this section shall be construed to prohibit  
22 an individual from exercising his or her right to vote.

23 Enacting section 1. This amendatory act takes effect 90 days  
24 after the date it is enacted into law.