

**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	Birth Month	Reporting Months
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, **INCLUDING ANY CHANGES OR UPDATES TO**
21 **INFORMATION REQUIRED TO BE PROVIDED IN SUBSECTION __, WHICH SHALL**
22 **BE PROVIDED NO LATER THAN 7 CALENDAR DAYS AFTER INFORMATION**
23 **REQUIRED TO BE PROVIDED UNDER THIS SUBSECTION CHANGES OR IS**
24 **UPDATED:**

25 (a) The individual's legal name and any aliases, nicknames,
26 ethnic or tribal names, or other names by which the individual is
27 or has been known. An individual who is in a witness protection and

1 relocation program is only required to use the name and identifying
2 information reflecting his or her new identity in a registration
3 under this act. The registration and compilation databases shall
4 not contain any information identifying the individual's prior
5 identity or locale.

6 (b) The individual's social security number and any social
7 security numbers or alleged social security numbers previously used
8 by the individual.

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

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

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

22 (f) The name and address of each of the individual's
23 employers. For purposes of this subdivision, "employer" includes a
24 contractor and any individual who has agreed to hire or contract
25 with the individual for his or her services. Information under this
26 subsection shall include the address or location of employment if
27 different from the address of the employer. If the individual lacks

1 a fixed employment location, the information obtained under this
2 subdivision shall include the general areas where the individual
3 works and the normal travel routes taken by the individual in the
4 course of his or her employment.

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

10 (h) All telephone numbers registered to the individual. ~~or~~
11 ~~regularly used by the individual.~~

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

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

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

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

1 (M) ~~(H)~~—A digital copy of the individual's passport and other
2 immigration documents.

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

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

11 (P) ~~(o)~~—A complete physical description of the individual.

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

13 (R) ~~(q)~~—The individual's fingerprints if not already on file
14 with the department and the individual's palm prints. An individual
15 required to be registered under this act shall have his or her
16 fingerprints or palm prints or both taken not later than September
17 12, 2011 if his or her fingerprints or palm prints are not already
18 on file with the department. The department shall forward a copy of
19 the individual's fingerprints and palm prints to the federal bureau
20 of investigation if not already on file with that bureau.

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

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

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

27 (b) The text of the provision of law that defines the criminal

1 offense for which the sex offender is registered.

2 (c) Any outstanding arrest warrant information.

3 (d) The individual's tier classification.

4 (e) An identifier that indicates whether a DNA sample has been
5 collected and any resulting DNA profile has been entered into the
6 federal combined DNA index system (CODIS).

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

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

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

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

17 (4) The individual shall sign a registration and notice.
18 However, the registration and notice shall be forwarded to the
19 department regardless of whether the individual signs it or pays
20 the registration fee required under subsection (1).

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

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

27 (7) The department shall prescribe the form for a notification

1 required under section 5 and the format for forwarding the
2 notification to the department.

3 (8) The department shall promptly provide registration,
4 notice, and verification information to the ~~federal bureau of~~
5 ~~investigation~~ **FEDERAL BUREAU OF INVESTIGATION** and to local law
6 enforcement agencies, sheriff's departments, department posts, and
7 other registering jurisdictions, as provided by law.

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) under a law of the United States that
26 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.~~ **WHETHER OR NOT IN**
A VEHICLE, WITH THE INTENT TO ENGAGE OR SOLICIT ANOTHER PERSON TO
ENGAGE IN AN ACT PROHIBITED BY A LISTED OFFENSE INVOLVING A MINOR
FOR WHICH REGISTRATION UNDER THIS ACT IS REQUIRED.

(c) "Minor" means an individual less than 18 years of age.

(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.

(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.

(f) "Student safety zone" means **SCHOOL PROPERTY AND** the area
 that lies 1,000 feet or less from **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.~~ **ON SCHOOL PROPERTY OR**
4 **WITHIN 300 FEET OR LESS OF THE PROPERTY LINE OF SCHOOL PROPERTY.**

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

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

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

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

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

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

25 (c) An individual who only intermittently or sporadically
26 enters a student safety zone for the purpose of work. However, this
27 exception does not apply to an individual who initiates or

1 maintains contact with a minor within a student safety zone.

2 (4) THE FOLLOWING INDIVIDUALS ARE PRESUMED NOT TO BE IN
3 VIOLATION OF SUBSECTION (1)(B), UNLESS THE PRESUMPTION IS REBUTTED
4 BY CLEAR AND CONVINCING EVIDENCE:

5 (A) A PARENT OR 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 GUARDIAN WHO IS ON SCHOOL PROPERTY ATTENDING
9 AN EVENT SANCTIONED BY HIS OR HER CHILD'S SCHOOL.

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

13 (5) ~~(4)~~—This section does not prohibit an individual from
14 being charged with, convicted of, or punished for any other
15 violation of law that is committed by that individual while
16 violating this section.

17 (6) ~~(5)~~—Nothing in this section shall be construed to prohibit
18 an individual from exercising his or her right to vote.

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