



SENATE BILL No. 959

April 17, 1996, Introduced by Senator BOUCHARD and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend sections 6, 7, and 10 of Act No. 295 of the Public Acts of 1994, entitled "Sex offenders registration act," being sections 28.726, 28.727, and 28.730 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 6, 7, and 10 of Act No. 295 of the
2 Public Acts of 1994, being sections 28.726, 27.727, and 28.730 of
3 the Michigan Compiled Laws, are amended to read as follows:

4 Sec. 6. (1) The officer, court, or agency registering an
5 individual or receiving or accepting a registration under section
6 4 or receiving notice under section 5(1) shall provide the indi-
7 vidual with a copy of the registration or notification at the
8 time of registration or notice.

1 (2) The officer, court, or agency registering an individual
2 or receiving or accepting a registration under section 4 or
3 notified of an address change under section 5(1) shall forward
4 the registration or notification to the department within 7 days
5 after registration or notification.

6 (3) If an individual registers OR PROVIDES NOTICE OF AN
7 ADDRESS CHANGE at a Michigan state police post OR IF THE DEPART-
8 MENT RECEIVES A REGISTRATION OR NOTIFICATION UNDER THIS ACT, the
9 department shall forward a copy of the registration OR
10 NOTIFICATION within 7 days to the local law enforcement agency in
11 the municipality in which the individual's address is located or
12 to the sheriff's department if the municipality does not have a
13 local law enforcement agency.

14 Sec. 7. (1) A registration under this act shall be made on
15 a form provided by the department and shall contain all of the
16 following:

17 (a) The individual's name, social security number, DATE OF
18 BIRTH, and address or expected address. AN INDIVIDUAL REGISTERED
19 UNDER THIS ACT BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT
20 THAT ADDED THIS SENTENCE SHALL PROVIDE THE DEPARTMENT WITH HIS OR
21 HER DATE OF BIRTH UPON REQUEST BY THE DEPARTMENT.

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

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

26 (d) The individual's blood type and whether a DNA
27 identification profile of the individual is available.

1 (2) A registration shall have a recent photograph of the
2 individual.

3 (3) A form used for registration under this act shall con-
4 tain a written statement that explains the duty of the individual
5 being registered to provide notice of a change of address under
6 section 5 and the procedures for providing that notice.

7 (4) The individual shall sign the registration or notice.

8 (5) The officer, court, or an employee of the agency regis-
9 tering the individual or receiving or accepting a registration
10 under section 4 shall also sign the registration.

11 (6) An individual shall not knowingly provide false or mis-
12 leading information concerning a registration or notice.

13 (7) The department shall prescribe the form for a notifica-
14 tion required under section 5.

15 Sec. 10. (1) Except as provided in this act, a registration
16 is confidential and shall not be open to inspection except for
17 law enforcement purposes. The registration and all included
18 materials are exempt from disclosure pursuant to section 13 of
19 the freedom of information act, Act No. 442 of the Public Acts of
20 1976, being section 15.243 of the Michigan Compiled Laws.

21 (2) THE DEPARTMENT SHALL ANNUALLY PREPARE AND PUBLISH A COM-
22 PILATION OF INDIVIDUALS REGISTERED UNDER THIS ACT THAT IS INDEXED
23 NUMERICALLY BY ZIP CODE AREA. WITHIN EACH ZIP CODE AREA, THE
24 COMPILATION SHALL CONTAIN ONLY THE PHYSICAL DESCRIPTION AND BIRTH
25 DATE OF EACH INDIVIDUAL REGISTERED UNDER THIS ACT WHO RESIDES IN
26 THAT ZIP CODE AREA AND ANY LISTED OFFENSE OF WHICH THE INDIVIDUAL
27 HAS BEEN CONVICTED. THE DEPARTMENT SHALL PROVIDE A COPY OF THE

1 COMPILATION TO EACH LOCAL LAW ENFORCEMENT AGENCY AND SHERIFF'S
2 DEPARTMENT. THE DEPARTMENT SHALL PROVIDE AN UPDATE IN THE SAME
3 FORMAT AS THE COMPILATION OF NEW INDIVIDUALS REGISTERED OR
4 DELETED FROM REGISTRATION OR WHO HAVE CHANGED ADDRESS TO A NEW
5 ZIP CODE AREA MONTHLY TO EACH LOCAL LAW ENFORCEMENT AGENCY AND
6 SHERIFF'S DEPARTMENT. THE COMPILATION AND UPDATES SHALL BE
7 AVAILABLE FOR PUBLIC INSPECTION AT A LOCAL LAW ENFORCEMENT AGENCY
8 OR SHERIFF'S DEPARTMENT DURING REGULAR BUSINESS HOURS.

9 (3) ~~(2)~~ Except as provided in this act, an individual
10 other than the registrant who knows of a registration under this
11 act and who divulges, uses, or publishes information concerning
12 the registration in violation of this act is guilty of a misde-
13 meanor punishable by imprisonment for not more than 90 days or a
14 fine of not more than \$500.00, or both.

15 (4) ~~(3)~~ An individual whose registration is revealed in
16 violation of this act has a civil cause of action against the
17 responsible party for treble damages.