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BILL



ANALYSIS

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Senate Bill 1206 (Substitute S-1 as reported)
Senate Bill 1207 (Substitute S-3 as reported)
Senate Bill 1208 (Substitute S-3 as reported)
Senate Bill 1241 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Roger Kahn, M.D. (S.B. 1206)
 Senator Bill Hardiman (S.B. 1207)
 Senator Randy Richardville (S.B. 1208)
 Senator Wayne Kuipers (S.B. 1241)
Committee: Judiciary

CONTENT

The bills would amend the Sex Offenders Registration Act to establish reporting requirements for homeless individuals subject to registration under the Act.

The Act requires individuals convicted of a listed offense to register with the Department of State Police. Registered individuals must report periodically to the local law enforcement agency, sheriff's department, or State Police post, and they must notify the local law enforcement agency, sheriff's department, or State Police post of their new residence or domicile when they move.

Senate Bill 1206 (S-1) would define "homeless" as either of the following:

- Lacking a fixed and regular residence.
- Having a primary residence that is a supervised public or private shelter designed to provide temporary living accommodations or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Senate Bill 1207 (S-3) would require the State Police's compilation of registered individuals to include the location of a homeless individual. Specifically, the Act requires the State Police to maintain a computerized database of registered individuals, and a separate database that allows a public access to a compilation of registrations, which must be indexed by zip code. Under the bill, a homeless individual registered under the Act would have to be indexed within the zip code area of the two cross streets closest to where he or she habitually slept. The term "homeless" and the two cross streets would have to be reflected in the compilation for that individual.

Senate Bill 1208 (S-3) would require a homeless individual registered under the Act to report to the local law enforcement agency, sheriff's department, or nearest State Police post having jurisdiction of the location where he or she habitually slept.

The Act requires a registered individual who is not incarcerated to report in person to the local law enforcement agency, sheriff's department, or State Police post for verification of domicile or residence. An individual must report once a year if he or she is registered only

for one or more listed offenses that are misdemeanors, or four times a year if he or she is registered for one or more listed offenses that are felonies.

When an individual reports, an officer or authorized employee must verify the individual's residence or domicile. Under the bill, an officer or authorized employee would have to verify the individual's residence or domicile, or the location where the individual habitually slept, as applicable.

If an individual does not report, the State Police must notify the local law enforcement agency, sheriff's department, or State Police post. Under the bill, this also would apply if a homeless individual did not report as required.

Senate Bill 1241 (S-1) would require a homeless individual registered under the Act to provide the following information, as applicable, to the law enforcement agency, sheriff's department, or nearest State Police post having jurisdiction:

- The address of any dwelling that was providing the individual temporary shelter.
- If the first provision did not apply, the location where the offender habitually slept, including the two cross streets of the city, county, or State and zip code closest to that location.

If the location where a homeless individual habitually slept changed by more than a half-mile, he or she would have to report within 10 days to the local law enforcement agency, sheriff's department, or nearest State Police post having jurisdiction where the individual habitually slept.

In addition, the Act requires a registered individual to notify the State Police at least 10 days before moving to another state. Under the bill, a person would have to give this notice before moving to another state or country.

All of the bills are tie-barred to each other.

MCL 28.722 (S.B. 1206)
28.728 (S.B. 1207)
28.725a (S.B. 1208)
28.725 (S.B. 1241)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 4-28-10

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.