

# SENATE BILL No. 1559

November 3, 2010, Introduced by Senator PATTERSON and referred to the Committee on Judiciary.

A bill to amend 1994 PA 295, entitled  
"Sex offenders registration act,"  
by amending sections 3, 5a, 8, 8c, and 8d (MCL 28.723, 28.725a,  
28.728, 28.728c, and 28.728d), section 3 as amended by 1999 PA 85,  
section 5a as amended by 2005 PA 322, and section 8 as amended and  
sections 8c and 8d as added by 2004 PA 240, and by adding article  
IV.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 3. (1) Subject to subsection (2), the following  
2 individuals who are domiciled or temporarily reside in this state  
3 for 14 or more consecutive days, who work with or without  
4 compensation or are students in this state for 14 or more  
5 consecutive days, or who are domiciled, reside, or work with or  
6 without compensation or are students in this state for 30 or more

1 total days in a calendar year are required to be registered under  
2 this act—**ARTICLE:**

3 (a) An individual who is convicted of a listed offense after  
4 October 1, 1995.

5 (b) An individual convicted of a listed offense on or before  
6 October 1, 1995 if on October 1, 1995 he or she is on probation or  
7 parole, committed to jail, committed to the jurisdiction of the  
8 department of corrections, or under the jurisdiction of the  
9 juvenile division of the probate court or the department of social  
10 services for that offense or is placed on probation or parole,  
11 committed to jail, committed to the jurisdiction of the department  
12 of corrections, placed under the jurisdiction of the juvenile  
13 division of the probate court or family division of circuit court,  
14 or committed to the department of social services or family  
15 independence agency after October 1, 1995 for that offense.

16 (c) An individual convicted of an offense described in section  
17 2(d) (xiii) on or before October 1, 1995 if on October 1, 1995 he or  
18 she is on probation or parole that has been transferred to this  
19 state for that offense or his or her probation or parole is  
20 transferred to this state after October 1, 1995 for that offense.

21 (d) An individual from another state who is required to  
22 register or otherwise be identified as a sex or child offender or  
23 predator under a comparable statute of that state.

24 (2) An individual convicted of an offense added on September  
25 1, 1999 to the definition of listed offense is not required to be  
26 registered solely because of that listed offense unless 1 of the  
27 following applies:

1 (a) The individual is convicted of that listed offense on or  
2 after September 1, 1999.

3 (b) On September 1, 1999, the individual is on probation or  
4 parole, committed to jail, committed to the jurisdiction of the  
5 department of corrections, under the jurisdiction of the family  
6 division of circuit court, or committed to the family independence  
7 agency for that offense or the individual is placed on probation or  
8 parole, committed to jail, committed to the jurisdiction of the  
9 department of corrections, placed under the jurisdiction of the  
10 family division of circuit court, or committed to the family  
11 independence agency on or after September 1, 1999 for that offense.

12 (c) On September 1, 1999, the individual is on probation or  
13 parole for that offense which has been transferred to this state or  
14 the individual's probation or parole for that offense is  
15 transferred to this state after September 1, 1999.

16 (d) On September 1, 1999, in another state or country the  
17 individual is on probation or parole, committed to jail, committed  
18 to the jurisdiction of the department of corrections or a similar  
19 type of state agency, under the jurisdiction of a court that  
20 handles matters similar to those handled by the family division of  
21 circuit court in this state, or committed to an agency with the  
22 same authority as the family independence agency for that offense.

23 Sec. 5a. (1) Not later than December 1, 2004, the department  
24 shall mail a notice to each individual registered under this act  
25 who is not in a state correctional facility explaining the  
26 individual's duties under this section and this act as amended and  
27 the procedure for registration, notification, and verification and

1 paying the registration fee prescribed under subsection (7) or  
2 section 7(1).

3 (2) Upon the release of an individual registered under this  
4 act who is in a state correctional facility, the department of  
5 corrections shall provide written notice to that individual  
6 explaining his or her duties under this section and this act as  
7 amended and the procedure for registration, notification, and  
8 verification and payment of the registration fee prescribed under  
9 subsection (7) or section 7(1). The individual shall sign and date  
10 the notice. The department of corrections shall maintain a copy of  
11 the signed and dated notice in the individual's file. The  
12 department of corrections shall forward the original notice to the  
13 department within 30 days, regardless of whether the individual  
14 signs it.

15 (3) Not later than January 15, 2000, an individual registered  
16 under this act who is not incarcerated shall report in person to  
17 the local law enforcement agency or sheriff's department having  
18 jurisdiction where he or she is domiciled or resides or to the  
19 department post in or nearest to the county where he or she is  
20 domiciled or resides. The individual shall present proof of  
21 domicile or residence and update any information that changed since  
22 registration, including information that is required to be reported  
23 under section 4a. An individual registered under this act who is  
24 incarcerated on January 15, 2000 shall report under this subsection  
25 not less than 10 days after he or she is released.

26 (4) Except as provided in subsection (5), following initial  
27 verification under subsection (3), or registration under this act

1 after January 15, 2000, an individual required to be registered  
2 under this act who is not incarcerated shall report in person to  
3 the local law enforcement agency or sheriff's department having  
4 jurisdiction where he or she is domiciled or resides or to the  
5 department post in or nearest to the county where he or she is  
6 domiciled or resides for verification of domicile or residence as  
7 follows:

8 (a) If the person is registered only for 1 or more listed  
9 offenses that are misdemeanors, not earlier than January 1 or later  
10 than January 15 of each year after the initial verification or  
11 registration. As used in this subdivision, "misdemeanor" means that  
12 term as defined in section 1 of chapter I of the code of criminal  
13 procedure, 1927 PA 175, MCL 761.1.

14 (b) If the person is registered for 1 or more listed offenses  
15 that are felonies, not earlier than the first day or later than the  
16 fifteenth day of each April, July, October, and January following  
17 initial verification or registration. As used in this subdivision,  
18 "felony" means that term as defined in section 1 of chapter I of  
19 the code of criminal procedure, 1927 PA 175, MCL 761.1.

20 (5) The continued reporting requirements of this section  
21 following initial registration do not apply to an individual  
22 convicted as a juvenile of committing an offense described in  
23 section 8c(15)(a) or (b) committed by the individual when he or she  
24 was less than 17 years of age, except that the individual shall  
25 report a change in his or her residence within this state or to  
26 another state as provided in this section within 10 days after the  
27 change of residence is made. If the ~~individual fails to file a~~

1 ~~petition under section 8c before he or she becomes 18 years of age,~~  
2 ~~or if his or her~~ **INDIVIDUAL'S** petition is denied by the court, the  
3 individual shall report as otherwise required under this section.

4 (6) When an individual reports under subsection (3) or (4), an  
5 officer or authorized employee of the local law enforcement agency,  
6 sheriff's department, or department post shall verify the  
7 individual's residence or domicile and any information required to  
8 be reported under section 4a. The officer or authorized employee  
9 shall sign and date a verification form. The officer shall give a  
10 copy of the signed form showing the date of verification to the  
11 individual. The officer or employee shall forward verification  
12 information to the department by the law enforcement information  
13 network in the manner the department prescribes. The department  
14 shall revise the databases maintained under section 8 as necessary  
15 and shall indicate verification in the compilation under section  
16 8(2).

17 (7) Except as otherwise provided in section 5b, beginning  
18 October 16, 2004, an individual who reports as prescribed under  
19 subsection (3) or (4) and who has not already paid the fee  
20 prescribed under section 7(1) shall pay a \$35.00 registration fee.  
21 An individual shall only be required to pay a fee once under this  
22 subsection.

23 (8) An individual required to be registered under this act  
24 shall maintain either a valid operator's or chauffeur's license  
25 issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to  
26 257.923, or an official state personal identification card issued  
27 under 1972 PA 222, MCL 28.291 to 28.300, with the individual's

1 current address. The license or card may be used as proof of  
2 domicile or residence under this section. In addition, the officer  
3 or authorized employee may require the individual to produce  
4 another document bearing his or her name and address, including,  
5 but not limited to, voter registration or a utility or other bill.  
6 The department may specify other satisfactory proof of domicile or  
7 residence.

8 (9) Not earlier than January 1, 2000 or later than January 15,  
9 2000, an individual registered under this act who is not  
10 incarcerated shall report in person to a secretary of state office  
11 and have his or her digitized photograph taken. An individual  
12 registered under this act who is incarcerated on January 15, 2000  
13 shall report under this subsection not less than 10 days after he  
14 or she is released. The individual is not required to report under  
15 this subsection if he or she had a digitized photograph taken for  
16 an operator's or chauffeur's license or official state personal  
17 identification card before January 1, 2000, or within 2 years  
18 before he or she is released. The photograph shall be used on the  
19 individual's operator's or chauffeur's license or official state  
20 personal identification card. The individual shall have a new  
21 photograph taken when he or she renews the license or  
22 identification card as provided by law. The secretary of state  
23 shall make the digitized photograph available to the department for  
24 a registration under this act.

25 (10) If an individual does not report under subsection (3) or  
26 (4) or section 4a, the department shall notify the local law  
27 enforcement agency, sheriff's department, or department post. An

1 appearance ticket may be issued for the individual's failure to  
2 report as provided in sections 9a to 9g of chapter IV of the code  
3 of criminal procedure, 1927 PA 175, MCL 764.9a to 764.9g.

4 (11) The department shall prescribe the form for the notices  
5 and verification procedures required under this section.

6 Sec. 8. (1) The department shall maintain a computerized  
7 database of registrations and notices required under this act.

8 (2) The department shall maintain a computerized database  
9 separate from that described in subsection (1) to implement section  
10 10(2) and (3). Except as provided in subsection (3), the database  
11 shall consist of a compilation of individuals registered under this  
12 ~~act~~ **ARTICLE**.

13 (3) The database described in subsection (2) shall not include  
14 the following individuals:

15 (a) An individual registered solely because he or she had 1 or  
16 more dispositions for a listed offense entered under section 18 of  
17 chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18,  
18 in a case that was not designated as a case in which the individual  
19 was to be tried in the same manner as an adult under section 2d of  
20 chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2d.  
21 Except as provided in subdivision (b), the exclusion for juvenile  
22 dispositions does not apply to a disposition for a violation of  
23 section 520b or 520c of the Michigan penal code, 1931 PA 328, MCL  
24 750.520b and 750.520c, after the individual becomes 18 years of  
25 age.

26 (b) An individual who is exempt under section 8d **OR ARTICLE IV**  
27 from that database, **OR WHO REGISTERS UNDER ARTICLE IV**.



1           (4) The compilation of individuals shall be indexed  
2 numerically by zip code area. Within each zip code area, the  
3 compilation shall contain all of the following information:

4           (a) The name and aliases, address, physical description, and  
5 birth date of each individual registered under this ~~act~~**ARTICLE** who  
6 is included in the compilation and who resides in that zip code  
7 area and any listed offense of which the individual has been  
8 convicted.

9           (b) The name and campus location of each institution of higher  
10 education to which the individual is required to report under  
11 section 4a.

12           (c) Beginning May 1, 2005, the photograph of each individual  
13 registered under this ~~act~~**ARTICLE**. The department shall obtain the  
14 photographs submitted under section 5a from the secretary of state  
15 for purposes of implementing this subdivision.

16           (5) The department shall update the compilation with new  
17 registrations, deletions from registrations, and address changes at  
18 the same time those changes are made to the database described in  
19 subsection (1). The department shall make the compilation available  
20 to each department post, local law enforcement agency, and  
21 sheriff's department by the law enforcement information network.  
22 Upon request by a department post, local law enforcement agency, or  
23 sheriff's department, the department shall provide to that post,  
24 agency, or sheriff's department the information from the  
25 compilation in printed form for the zip code areas located in whole  
26 or in part within the post's, agency's, or sheriff's department's  
27 jurisdiction. The department shall provide the ability to conduct a

1 computerized search of the compilation based upon the name and  
2 campus location of an institution of higher education described in  
3 subsection (4)(b).

4 (6) The department shall make the compilation or information  
5 from the compilation available to a department post, local law  
6 enforcement agency, sheriff's department, and the public by  
7 electronic, computerized, or other similar means accessible to the  
8 post, agency, or sheriff's department. The electronic,  
9 computerized, or other similar means shall provide for both a  
10 search by name and by zip code.

11 (7) If a court determines that the public availability under  
12 section 10 of any information concerning individuals registered  
13 under this ~~act~~ **ARTICLE**, including names and aliases, addresses,  
14 physical descriptions, or dates of birth, violates the constitution  
15 of the United States or this state, the department shall revise the  
16 compilation in subsection (2) so that it does not contain that  
17 information.

18 Sec. 8c. (1) An individual described in subsection (15) who is  
19 convicted before October 1, 2004 of a violation described in that  
20 subsection may petition the court under this section for an order  
21 allowing him or her to register ~~under this act~~ as provided in  
22 section 8d(1).

23 (2) An individual described in subsection (15)(a) or (b) who  
24 is convicted on or after October 1, 2004 of a violation described  
25 in that subsection may petition the court under this section for an  
26 order allowing him or her to register ~~under this act~~ as provided in  
27 section 8d(1).

1 (3) This section is the sole means by which an individual may  
2 obtain judicial review of his or her registration requirements  
3 under this ~~act~~ **ARTICLE**. This subsection does not prohibit an appeal  
4 of the conviction or sentence as otherwise provided by law or court  
5 rule.

6 (4) A petition filed under this section shall be filed in the  
7 court in which the individual was convicted of committing the  
8 listed offense. ~~A petition filed under subsection (1) shall be~~  
9 ~~filed before October 1, 2007 or within 3 years after the individual~~  
10 ~~is discharged from the jurisdiction of the juvenile court or, if~~  
11 ~~the individual was assigned to youthful trainee status, within 3~~  
12 ~~years after he or she has successfully completed youthful trainee~~  
13 ~~status, whichever is later, and, except as otherwise provided in~~  
14 ~~this subsection, the court shall not consider a petition filed by~~  
15 ~~the individual after that date. A petition filed under subsection~~  
16 ~~(2) shall not be filed before the individual's seventeenth birthday~~  
17 ~~or after the individual's twentieth birthday. If the individual is~~  
18 ~~charged in this state or elsewhere with committing, attempting to~~  
19 ~~commit, or conspiring to commit a felony, other than the felony for~~  
20 ~~which he or she has filed the petition for registration as provided~~  
21 ~~under section 8d, or an offense that if committed by an adult would~~  
22 ~~be a felony, the court may hold the petition in abeyance until the~~  
23 ~~charges are finally disposed of. If the court holds the petition in~~  
24 ~~abeyance, the 3-year limitation periods described in this~~  
25 ~~subsection begin to run when the period of abeyance has ended. A~~  
26 petition shall not be filed under this section if a previous  
27 petition was filed under this section and was denied by the court

1 after a hearing. As used in this subsection, "felony" means a crime  
2 that is specifically designated to be a felony or that is  
3 punishable by imprisonment for more than 1 year.

4 (5) A petition filed under this section shall be made under  
5 oath and shall contain all of the following:

6 (a) The name and address of the petitioner.

7 (b) A statement identifying the offense for which registration  
8 as provided in section 8d is being requested.

9 (c) A statement of whether the individual was previously  
10 convicted of a listed offense for which registration is required  
11 under this ~~act~~ **ARTICLE**.

12 (d) A statement specifically stating that the individual is  
13 not disqualified under subsection (14) from filing a petition under  
14 this section.

15 (6) An individual who knowingly makes a false statement in a  
16 petition filed under this section is guilty of perjury as  
17 proscribed under section 423 of the Michigan penal code, 1931 PA  
18 328, MCL 750.423.

19 (7) A copy of the petition shall be filed with the office of  
20 the prosecuting attorney that prosecuted the case against the  
21 individual at least 30 days before a hearing is held on the  
22 petition. The prosecuting attorney may appear and participate in  
23 all proceedings regarding the petition and may seek appellate  
24 review of any decision on the petition.

25 (8) If the name of the victim of the offense is known by the  
26 prosecuting attorney, the prosecuting attorney shall provide the  
27 victim with written notice that a petition has been filed and shall

1 provide the victim with a copy of the petition. The notice shall be  
2 sent by first-class mail to the victim's last known address. The  
3 petition shall include a statement of the victim's rights under  
4 subsection (11).

5 (9) If an individual petitions the court under subsection (1)  
6 or (2) for an offense described in subsection (15) (a) ~~or (b)~~ and  
7 the individual is not on the database maintained under section 8(2)  
8 at the time the petition is filed, the court may order the  
9 department not to place the individual on that database during the  
10 period in which the court is considering whether to grant the  
11 petition as follows:

12 (a) Except as provided in subdivision (b), for a period of 30  
13 days after the date the order is issued or as provided by the  
14 court, whichever occurs first.

15 (b) If jurisdiction is continued by the court past the  
16 individual's seventeenth birthday, during the period in which  
17 jurisdiction is continued. The court shall notify the department of  
18 the order as required under section 8d.

19 (10) If an individual properly files a petition with the court  
20 under this section, the court shall conduct a hearing on the  
21 petition as provided in this section.

22 (11) The victim has the right to attend all proceedings under  
23 this section and to make a written or oral statement to the court  
24 before any decision regarding the petition is made. A victim shall  
25 not be required to appear at any proceeding under this section  
26 against his or her will.

27 (12) The court shall consider all of the following in

1 determining whether to allow the individual to register ~~under this~~  
2 ~~act~~ as provided in section 8d:

3 (a) The individual's age and level of maturity at the time of  
4 the offense.

5 (b) The victim's age and level of maturity at the time of the  
6 offense.

7 (c) The nature of the offense.

8 (d) The severity of the offense.

9 (e) The individual's prior juvenile or criminal history.

10 (f) The individual's likelihood to commit further listed  
11 offenses.

12 (g) Any impact statement submitted by the victim under the  
13 **WILLIAM VAN REGENMORTER** crime victim's rights act, 1985 PA 87, MCL  
14 780.751 to 780.834, or under this section.

15 (h) Any other information considered relevant by the court.

16 (13) If the court determines that the individual meets the  
17 criteria for registration under section 8d, the court may order the  
18 individual to register ~~under this act~~ as provided in that section.

19 (14) The court shall not grant a petition filed under this  
20 section if any of the following apply:

21 (a) The individual was previously convicted of a listed  
22 offense for which registration is required under this ~~act~~ **ARTICLE**.

23 (b) The individual fails to carry the burden of proving by  
24 clear and convincing evidence that he or she is not likely to  
25 commit further listed offenses.

26 (c) The court determines that the offense involved any of the  
27 following:

1 (i) A factor set forth in section 520b(1)(b) to (h) of the  
2 Michigan penal code, 1931 PA 328, MCL 750.520b.

3 (ii) A factor set forth in section 520c(1)(b) to (l) of the  
4 Michigan penal code, 1931 PA 328, MCL 750.520c.

5 (iii) A factor set forth in section 520d(1)(b) to (e) of the  
6 Michigan penal code, 1931 PA 328, MCL 750.520d.

7 (iv) A factor set forth in section 520e(1)(b) to (f) of the  
8 Michigan penal code, 1931 PA 328, MCL 750.520e.

9 (d) The individual is charged in this state or elsewhere with  
10 committing, attempting to commit, or conspiring to commit a felony,  
11 other than the felony for which he or she has filed the petition  
12 for registration as provided under section 8d, or an offense that  
13 if committed by an adult would be a felony. This subsection does  
14 not prohibit the court from holding the petition in abeyance under  
15 subsection (4). As used in this subdivision, "felony" means a crime  
16 specifically designated to be a felony or that is punishable by  
17 imprisonment for more than 1 year.

18 (e) The individual was sentenced for the offense as an adult.  
19 This subdivision does not apply to an individual described in  
20 subsection ~~(15)(e)~~ **(15)(B)** who successfully completed his or her  
21 probationary period and was discharged from youthful trainee  
22 status.

23 (15) The right to petition under this section applies to all  
24 of the following individuals:

25 (a) An individual who is convicted ~~as a juvenile under section~~  
26 ~~520b, 520c, or 520d of the Michigan penal code, 1931 PA 328, MCL~~  
27 ~~750.520b, 750.520c, and 750.520d, of committing, attempting to~~

~~commit, or conspiring to commit a violation solely described in section 520b(1)(a), 520c(1)(a), or 520d(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, if either of the following applies:~~

~~—— (i) The individual was under 13 years of age when he or she committed the offense and is not more than 5 years older than the victim.~~

~~—— (ii) The individual was 13 years of age or older but less than 17 years of age when he or she committed the offense and is not more than 3 years older than the victim.~~

~~—— (b) An individual who was charged under section 520b, 520c, or 520d of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, with committing, attempting to commit, or conspiring to commit a violation solely described in section 520b(1)(a), 520c(1)(a), or 520d(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, and is convicted as a juvenile of violating, attempting to violate, or conspiring to violate section 520c or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520c and 750.520g, if either of the following applies:~~

~~—— (i) The individual was under 13 years of age when he or she committed the offense and is not more than 5 years older than the victim.~~

~~—— (ii) The individual was 13 years of age or older but~~ **OF A LISTED OFFENSE AND WHO WAS** ~~less than 17 years of age when he or she committed the offense. and is not more than 3 years older than the victim.~~

**(B)** ~~(c)~~ An individual who has successfully completed his or



1 her probationary period under sections 11 to 15 of chapter II of  
2 the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15,  
3 for committing a listed offense, and has been discharged from  
4 youthful trainee status.

5 Sec. 8d. (1) An individual who petitions the court under  
6 section 8c to register as provided in this section shall register  
7 under this ~~act~~ **ARTICLE** as follows:

8 (a) For a violation described in section 8c(15)(a) or (b), the  
9 individual shall register under this ~~act~~ **ARTICLE** until the petition  
10 is granted but is not subject to the requirements of section 8(2).

11 (b) For a violation described in section ~~8c(15)(c)~~ **8C(15)(B)**  
12 and for which the petition is granted, the individual shall  
13 register under this ~~act~~ **ARTICLE** for a period of 10 years after the  
14 date he or she initially registered or, if the individual was in a  
15 state correctional facility, for 10 years after he or she is  
16 released from that facility, whichever is greater, and is subject  
17 to the requirements of section 8(2) during that registration  
18 period.

19 **(C) FOR A VIOLATION DESCRIBED IN SECTION 41(1), THE INDIVIDUAL**  
20 **SHALL REGISTER UNDER ARTICLE IV.**

21 **(D) FOR A VIOLATION DESCRIBED IN SECTION 41(2), THE INDIVIDUAL**  
22 **SHALL NO LONGER BE REQUIRED TO BE REGISTERED OR TO REPORT UNDER**  
23 **THIS ACT AND SHALL BE REMOVED FROM THE DATABASES DESCRIBED IN**  
24 **SECTION 8.**

25 (2) If the court under section 8c orders an individual to  
26 register under this section pending the court's determination of  
27 the petition, the court shall promptly provide a copy of that order

1 to the department and to the individual. If the department is  
2 provided with an order under this subsection for an individual  
3 described in section 8c(15)(a) or (b), the department shall not  
4 enter the individual's registration into the database maintained  
5 under section 8(2) until ordered by the court to do so or until  
6 expiration of the order, whichever occurs first.

7 (3) If the court grants a petition filed under section 8c, the  
8 court shall promptly provide a copy of that order to the department  
9 and to the individual. If the department is provided with an order  
10 under this subsection for a violation described in section  
11 8c(15)(a) or (b), the department shall not enter the individual's  
12 registration into the database maintained under section 8(2) or, if  
13 the person is already registered, shall promptly remove that  
14 registration from the database maintained under section 8(2). The  
15 department shall promptly remove an individual's registration from  
16 the database maintained under section 8(1) upon expiration of the  
17 applicable registration period described in subsection (1) or (2)  
18 as provided in those subsections.

#### 19 ARTICLE IV

20 SEC. 41. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, AN  
21 INDIVIDUAL WHO WAS CONVICTED OF A LISTED OFFENSE AND WAS LESS THAN  
22 17 YEARS OF AGE WHEN HE OR SHE COMMITTED THE LISTED OFFENSE AND WHO  
23 IS DOMICILED OR TEMPORARILY RESIDES IN THIS STATE FOR 14 OR MORE  
24 CONSECUTIVE DAYS, WHO WORKS WITH OR WITHOUT COMPENSATION OR WHO IS  
25 A STUDENT IN THIS STATE FOR 14 OR MORE CONSECUTIVE DAYS, OR WHO IS  
26 DOMICILED, RESIDES, OR WORKS WITH OR WITHOUT COMPENSATION OR IS A  
27 STUDENT IN THIS STATE FOR 30 OR MORE TOTAL DAYS IN A CALENDAR YEAR

1 IS REQUIRED TO BE REGISTERED UNDER THIS ARTICLE.

2 (2) THE FOLLOWING INDIVIDUALS ARE NOT REQUIRED TO REGISTER  
3 UNDER THIS ACT:

4 (A) AN INDIVIDUAL WHO WAS LESS THAN 14 YEARS OF AGE WHEN HE OR  
5 SHE COMMITTED THE LISTED OFFENSE.

6 (B) AN INDIVIDUAL WHO WAS 14 YEARS OF AGE OR OLDER WHEN HE OR  
7 SHE COMMITTED THE LISTED OFFENSE AND THE COURT DETERMINES THAT THE  
8 OFFENSE DID NOT INVOLVE ANY OF THE FOLLOWING:

9 (i) A FACTOR SET FORTH IN SECTION 520B(1)(B) TO (H) OF THE  
10 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520B.

11 (ii) A FACTOR SET FORTH IN SECTION 520C(1)(B) TO (I) OF THE  
12 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520C.

13 (iii) A FACTOR SET FORTH IN SECTION 520D(1)(B) TO (E) OF THE  
14 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520D.

15 (iv) A FACTOR SET FORTH IN SECTION 520E(1)(B) TO (F) OF THE  
16 MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.520E.

17 SEC. 42. AN INDIVIDUAL REQUIRED TO BE REGISTERED UNDER THIS  
18 ARTICLE SHALL FOLLOW THE SAME REGISTRATION AND REPORTING PROCEDURES  
19 AND PAY THE SAME FEES AS PRESCRIBED UNDER ARTICLE II. HOWEVER, AN  
20 INDIVIDUAL REGISTERED UNDER THIS ARTICLE WHO IS SUBSEQUENTLY  
21 REQUIRED TO REGISTER UNDER ARTICLE II SHALL NO LONGER REGISTER OR  
22 REPORT UNDER THIS ARTICLE.

23 SEC. 43. THE DEPARTMENT SHALL MAINTAIN A COMPUTERIZED DATABASE  
24 AND REGISTRATIONS AND NOTICES SEPARATE FROM THE DATABASES DESCRIBED  
25 IN ARTICLE II. THE DATABASE SHALL CONSIST OF A COMPILATION OF  
26 INDIVIDUALS REGISTERED UNDER THIS ARTICLE.