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BILL ANALYSIS



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Senate Bill 890 (as introduced 1-11-12)
Sponsor: Senator Rick Jones
Committee: Judiciary

(as passed by the Senate)

Date Completed: 2-14-12

CONTENT

The bill would amend the Sex Offenders Registration Act (SORA) to remove certain registrants from a provision excluding particular individuals from the public internet website.

The Act requires the Michigan Department of State Police (MSP) to maintain a computerized law enforcement database of registrations and notices required under SORA. The MSP also must maintain a public internet website, separate from the law enforcement database, to make certain information about registrants available to the public.

The public website may not include certain registered individuals, including an individual registered solely because he or she has been convicted of a single Tier I offense. Under the bill, that exclusion would apply to an individual registered solely because he or she was convicted of a single Tier I offense, except for a violation of the following:

- Knowingly possessing child sexually abusive material.
- Indecent exposure, if the victim is a minor.
- Unlawful imprisonment by knowingly restraining another person when the restraint is by means of a weapon or dangerous instrument, the restrained person is secretly confined, or the person is restrained to facilitate the commission of another felony or flight after commission of a felony, if the victim is a minor.
- Surveillance of or distribution, dissemination, or transmission of a visual image of an undressed individual, or a person dressed only in undergarments, who has a reasonable expectation of privacy, if the victim is a minor.
- Any other violation of State or local law substantially similar to one of those offenses, that by its nature constitutes a sexual offense against a minor.
- A substantially similar offense under Federal law, or under a law of any state or country or under tribal or military law.

("Tier I offense" means one or more of the offenses described above or, if the victim is 18 or older, fourth-degree criminal sexual conduct (CSC) or assault with intent to commit second-degree CSC.)

MCL 28.728

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

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.