

HOUSE BILL No. 4535

March 27, 2007, Introduced by Reps. Meekhof, Rick Jones, Wenke, Agema, Hammon and Hammel and referred to the Committee on Judiciary.

A bill to amend 1994 PA 295, entitled
"Sex offenders registration act,"
by amending section 8 (MCL 28.728), as amended by 2004 PA 240.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3 (2) The department shall maintain a computerized database
4 separate from that described in subsection (1) to implement section
5 10(2) and (3). Except as provided in subsection (3), the database
6 shall consist of a compilation of individuals registered under this
7 act.

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

10 (a) An individual registered solely because he or she had 1 or

1 more dispositions for a listed offense entered under section 18 of
2 chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18,
3 in a case that was not designated as a case in which the individual
4 was to be tried in the same manner as an adult under section 2d of
5 chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2d.
6 Except as provided in subdivision (b), the exclusion for juvenile
7 dispositions does not apply to a disposition for a violation of
8 section 520b or 520c of the Michigan penal code, 1931 PA 328, MCL
9 750.520b and 750.520c, after the individual becomes 18 years of
10 age.

11 (b) An individual who is exempt under section 8d from that
12 database.

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

16 (a) The name and aliases, address, physical description, and
17 birth date of each individual registered under this act who is
18 included in the compilation and who resides in that zip code area
19 and any listed offense of which the individual has been convicted.

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

23 (c) Beginning May 1, 2005, the photograph of each individual
24 registered under this act. The department shall obtain the
25 photographs submitted under section 5a from the secretary of state
26 for purposes of implementing this subdivision.

27 **(D) A SHORT NARRATIVE DESCRIPTION OF EACH LISTED OFFENSE**

1 **COMMITTED BY THE INDIVIDUAL.**

2 (5) The department shall update the compilation with new
3 registrations, deletions from registrations, and address changes at
4 the same time those changes are made to the database described in
5 subsection (1). The department shall make the compilation available
6 to each department post, local law enforcement agency, and
7 sheriff's department by the law enforcement information network.
8 Upon request by a department post, local law enforcement agency, or
9 sheriff's department, the department shall provide to that post,
10 agency, or sheriff's department the information from the
11 compilation in printed form for the zip code areas located in whole
12 or in part within the post's, agency's, or sheriff's department's
13 jurisdiction. The department shall provide the ability to conduct a
14 computerized search of the compilation based upon the name and
15 campus location of an institution of higher education described in
16 subsection (4) (b).

17 (6) The department shall make the compilation or information
18 from the compilation available to a department post, local law
19 enforcement agency, sheriff's department, and the public by
20 electronic, computerized, or other similar means accessible to the
21 post, agency, or sheriff's department. The electronic,
22 computerized, or other similar means shall provide for both a
23 search by name and by zip code.

24 (7) If a court determines that the public availability under
25 section 10 of any information concerning individuals registered
26 under this act, including names and aliases, addresses, physical
27 descriptions, or dates of birth, violates the constitution of the

1 United States or this state, the department shall revise the
2 compilation in subsection (2) so that it does not contain that
3 information.