

SENATE BILL NO. 1208

November 10, 2022, Introduced by Senator BARRETT and referred to the Committee on Appropriations.

A bill to amend 1994 PA 295, entitled
"Sex offenders registration act,"
by amending section 5a (MCL 28.725a), as amended by 2020 PA 295.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5a. (1) The department shall mail a notice to each
2 individual registered under this act who is not in a state
3 correctional facility explaining the individual's duties under this
4 act as amended.

5 (2) Upon the release of an individual registered under this

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

11 (3) Subject to subsection (4), an individual required to be
 12 registered under this act who is not incarcerated shall report in
 13 person to the registering authority where he or she is domiciled or
 14 resides for verification of domicile or residence as follows:

15 (a) If the individual is a tier I offender, the individual
 16 shall report once each year during the individual's month of birth.

17 (b) If the individual is a tier II offender, the individual
 18 shall report twice each year according to the following schedule:

19	<u>Birth Month</u>	<u>Reporting Months</u>
20	January	January and July
21	February	February and August
22	March	March and September
23	April	April and October
24	May	May and November
25	June	June and December
26	July	January and July
27	August	February and August
28	September	March and September
29	October	April and October

1 November May and November
2 December June and December

3 (c) If the individual is a tier III offender, the individual
4 shall report 4 times each year according to the following schedule:

5 <u>Birth Month</u>	<u>Reporting Months</u>
6 January	January, April, July, and October
7 February	February, May, August, and November
8 March	March, June, September, and December
9 April	April, July, October, and January
10 May	May, August, November, and February
11 June	June, September, December, and March
12 July	July, October, January, and April
13 August	August, November, February, and May
14 September	September, December, March, and June
15 October	October, January, April, and July
16 November	November, February, May, and August
17 December	December, March, June, and September

18 (4) A report under subsection (3) must be made no earlier than
19 the first day or later than the last day of the month in which the
20 individual is required to report. However, if the registration
21 period for that individual expires during the month in which he or
22 she is required to report under this section, the individual shall
23 report during that month on or before the date his or her
24 registration period expires. When an individual reports under
25 subsection (3), the individual shall review all registration
26 information for accuracy.

27 (5) When an individual reports under subsection (3) an officer
28 or authorized employee of the registering authority shall verify
29 the individual's residence or domicile and any information required

1 to be reported under section 4a. The officer or authorized employee
2 shall also determine whether the individual's photograph required
3 under this act matches the appearance of the individual
4 sufficiently to properly identify him or her from that photograph.
5 If not, the officer or authorized employee shall require the
6 individual to obtain a current photograph within 7 days under this
7 section. When all of the verification information has been
8 provided, the officer or authorized employee shall review that
9 information with the individual and make any corrections,
10 additions, or deletions the officer or authorized employee
11 determines are necessary based on the review. The officer or
12 authorized employee shall sign and date a verification receipt. The
13 officer or authorized employee shall give a copy of the signed
14 receipt showing the date of verification to the individual. The
15 officer or authorized employee shall forward verification
16 information to the department in the manner the department
17 prescribes. The department shall revise the law enforcement
18 database and public internet website maintained under section 8 as
19 necessary and shall indicate verification in the public internet
20 website maintained under section 8(2).

21 (6) Except as otherwise provided in section 5b, an individual
22 who reports as prescribed under subsection (3) shall pay a \$50.00
23 registration fee as follows:

24 (a) Upon initial registration.

25 (b) Annually following the year of initial registration. The
26 payment of the registration fee under this subdivision must be made
27 at the time the individual reports in the first reporting month for
28 that individual as set forth in subsection (3) of each year in
29 which the fee applies, unless an individual elects to prepay an

1 annual registration fee for any future year for which an annual
2 registration fee is required. Prepaying any annual registration fee
3 must not change or alter the requirement of an individual to report
4 as set forth in subsection (3). The payment of the registration fee
5 under this subdivision is not required to be made for any
6 registration year that has expired before January 1, 2014 or to be
7 made by any individual initially required to register under this
8 act after January 1, ~~2023~~—**2027**. The registration fee required to
9 be paid under this subdivision must not be prorated on grounds that
10 the individual will complete his or her registration period after
11 the month in which the fee is due.

12 (c) The sum of the amounts required to be paid under
13 subdivisions (a) and (b) must not exceed \$550.00.

14 (7) Except as otherwise provided in this subsection, an
15 individual required to be registered under this act shall maintain
16 either a valid operator's or chauffeur's license issued under the
17 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an
18 official state personal identification card issued under 1972 PA
19 222, MCL 28.291 to 28.300, with the individual's current address.
20 The license or card may be used as proof of domicile or residence
21 under this section. In addition, the officer or authorized employee
22 may require the individual to produce another document bearing his
23 or her name and address, including, but not limited to, voter
24 registration or a utility or other bill. The department may specify
25 other satisfactory proof of domicile or residence. The requirement
26 to maintain a valid operator's or chauffeur's license issued under
27 the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an
28 official state personal identification card issued under 1972 PA
29 222, MCL 28.291 to 28.300, does not apply to an individual required

1 to be registered under this act who is homeless. As used in this
2 subsection, "homeless" means someone who lacks a fixed or temporary
3 residence.

4 (8) An individual registered under this act who is
5 incarcerated shall report to the secretary of state under this
6 subsection not more than 7 days after he or she is released to have
7 his or her digitalized photograph taken. The individual is not
8 required to report under this subsection if he or she had a
9 digitized photograph taken for an operator's or chauffeur's license
10 or official state personal identification card before January 1,
11 2000, or within 2 years before he or she is released unless his or
12 her appearance has changed from the date of that photograph. Unless
13 the person is a nonresident, the photograph must be used on the
14 individual's operator's or chauffeur's license or official state
15 personal identification card. The individual shall have a new
16 photograph taken when he or she renews the license or
17 identification card as provided by law, or as otherwise provided in
18 this act. The secretary of state shall make the digitized
19 photograph available to the department for a registration under
20 this act.

21 (9) If an individual does not report under this section or
22 under section 4a, the department shall notify all registering
23 authorities as provided in section 8a and initiate enforcement
24 action as set forth in that section.

25 (10) The department shall prescribe the form for the notices
26 and verification procedures required under this section.