
DIGEST

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Lopinto

HB No. 558

Abstract: Provides relative to sex offender registration and notification requirements of persons convicted under the laws of another state and amends procedures relative to documentation pertaining to the offense which requires sex offender registration and notification.

Present law provides that any person who is convicted of an offense under the laws of another state shall be subject to and shall comply with all of the registration requirements in La. within three business days of establishing a residence in La. and shall comply with all notification requirements in La. within 21 days of establishing a residence in La. This person is also required to notify the La. Bureau of Criminal Identification and Information within three business days of establishing residence in La.

Present law requires the bureau, within 90 days of receiving registration information of the out-of-state offender from the sheriff pursuant to present law, to determine which time period of registration and the frequency of in-person periodic renewals is applicable to the offender while residing in La.

Present law provides that the registration period and the frequency of in-person periodic renewals for a person who is convicted of an offense under the laws of another state shall be the same as a person convicted of a similar offense under the laws of this state.

Proposed law makes the following changes:

- (1) Requires a person convicted under the laws of another state to provide certified copies of court records pertaining to the offense or offenses which require registration as a sex offender to the bureau within 30 business days of establishing residence in La.
- (2) Decreases the time period within which the bureau shall make its determination as to the time period of registration and the frequency of in-person periodic renewals from within 90 days of receiving the information from the sheriff to within 60 days of receiving the certified copies of court records from the offender.
- (3) Provides that until the bureau makes this determination the offender shall appear for in-person renewals every three months and thereafter the frequency with which he is required to appear will be based upon the determination by the bureau.

- (4) Provides that a person who is convicted under the laws of another state who is required to register as a sex offender pursuant to La.'s present law shall do so for the period of time required by his state of conviction or for the period of time required by La., whichever period is longer.
- (5) Removes present law requirement that the petition to be relieved of the sex offender registration requirements must be accompanied by a certification from the office of state police of the offender's history of registration in La., and amends the requirement to provide that this information shall be provided to the court upon receipt of the pleading by the office of state police.
- (6) Provides for prospective application, applying to any offender who establishes a residence in La. on or after the effective date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:542.1.3(A) and (B)(2) and 544(C), (D), and (E); Adds R.S. 15:544(F))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added provision which states that the provisions of proposed law shall apply to persons who were convicted and are required to register pursuant to the laws of another state.
2. Added provision which states that the offender is required to renew and update his registration information in-person as required by present law and provided that the frequency with which the person is required to register shall be pursuant to La. law.

House Floor Amendments to the engrossed bill.

1. Increased the time period within which the offender is required to provide the certified copies of court records from three days to 30 days.
2. Decreased the time period within which state police is required to make their determination as to the time period of registration and the frequency of in-person periodic renewals.
3. Added provision which provides that until the bureau makes this determination, the offender shall appear for in-person renewals every three months and thereafter the frequency with which he is required to appear will be based upon the bureau's determination.

4. Clarified provision regarding the duration of registration for an offender convicted in another state who establishes a residence in La.
5. Added provision which provides that the certified registration history issued by bureau to the court relative to a "clean record" petition shall be admissible as evidence and shall be deemed prima facie evidence of the offender's history of registration in La.
6. Added provisions which provide for prospective application and effectiveness upon signature of the governor.