



2003 SENATE BILL 35

February 12, 2003 - Introduced by Senators REYNOLDS, STEPP, A. LASEE, LAZICH, KANAVAS and HANSEN, cosponsored by Representatives GUNDRUM, GRONEMUS, ZIEGELBAUER, STONE, KRAWCZYK, BIES, LADWIG, GROTHMAN, GIELOW, HINES, MUSSER, NISCHKE, McCORMICK, WASSERMAN, J. FITZGERALD, FREESE, SUDER and VRAKAS. Referred to Committee on Judiciary, Corrections and Privacy.

1 **AN ACT** *to repeal* 301.45 (6) (a) 1.; and *to consolidate, renumber and amend*
2 301.45 (6) (a) (intro.) and 2. of the statutes; **relating to:** failing to register as
3 a sex offender and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, persons convicted of certain sex offenses are required to register as sex offenders with the Department of Corrections (DOC). A person who knowingly fails to comply with this requirement may be fined not more than \$10,000 or imprisoned for not more than nine months or both for a first offense (an unclassified misdemeanor); and may be fined not more than \$10,000 or imprisoned for not more than six years or both for a second offense (a Class H felony), if the second offense is committed on or after February 1, 2003. If the second offense is committed before February 1, 2003, the maximum term of imprisonment is five years. Under this bill, if a sex offender who is required to register with DOC fails to do so, he or she is guilty of a Class H felony, regardless of the number of prior offenses.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

