

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 3523

(SENATE AUTHORS: LATZ)

DATE
03/19/2018

D-PG
6774

OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to criminal justice; juveniles; addressing predatory offender registration
- 1.3 of juveniles; amending Minnesota Statutes 2016, section 243.166, subdivisions
- 1.4 1b, 6.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2016, section 243.166, subdivision 1b, is amended to read:
- 1.7 Subd. 1b. **Registration required.** (a) A person shall register under this section if the
- 1.8 person is an adult or a child certified under section 260B.125 and:
- 1.9 (1) the person was charged with or petitioned for a felony violation of or attempt to
- 1.10 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted
- 1.11 of ~~or adjudicated delinquent for~~ that offense or another offense arising out of the same set
- 1.12 of circumstances:
- 1.13 (i) murder under section 609.185, paragraph (a), clause (2);
- 1.14 (ii) kidnapping under section 609.25;
- 1.15 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
- 1.16 subdivision 3; or 609.3453; or
- 1.17 (iv) indecent exposure under section 617.23, subdivision 3;
- 1.18 (2) the person was charged with ~~or petitioned for~~ a violation of, or attempt to violate, or
- 1.19 aiding, abetting, or conspiring to commit criminal abuse in violation of section 609.2325,
- 1.20 subdivision 1, paragraph (b); false imprisonment in violation of section 609.255, subdivision
- 1.21 2; solicitation, inducement, or promotion of the prostitution of a minor or engaging in the
- 1.22 sex trafficking of a minor in violation of section 609.322; a prostitution offense in violation

of section 609.324, subdivision 1, paragraph (a); soliciting a minor to engage in sexual conduct in violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a sexual performance in violation of section 617.246; or possessing pornographic work involving a minor in violation of section 617.247, and convicted of ~~or adjudicated delinquent for~~ that offense or another offense arising out of the same set of circumstances;

(3) the person was sentenced as a patterned sex offender under section 609.3455, subdivision 3a; or

(4) the person was charged with ~~or petitioned for~~, including pursuant to a court martial, violating a law of the United States, including the Uniform Code of Military Justice, similar to the offenses described in clause (1), (2), or (3), and convicted of ~~or adjudicated delinquent for~~ that offense or another offense arising out of the same set of circumstances.

(b) A person also shall register under this section if the person is an adult or a child certified under section 260B.125 and:

(1) the person was charged with ~~or petitioned for~~ an offense in another state that would be a violation of a law described in paragraph (a) if committed in this state and convicted of ~~or adjudicated delinquent for~~ that offense or another offense arising out of the same set of circumstances;

(2) the person enters this state to reside, work, or attend school, or enters this state and remains for 14 days or longer; and

(3) ten years have not elapsed since the person was released from confinement or, if the person was not confined, since the person was convicted of ~~or adjudicated delinquent for~~ the offense that triggers registration, unless the person is subject to a longer registration period under the laws of another state in which the person has been convicted or adjudicated, or is subject to lifetime registration.

If a person described in this paragraph is subject to a longer registration period in another state or is subject to lifetime registration, the person shall register for that time period regardless of when the person was released from confinement, convicted, or adjudicated delinquent.

(c) A person also shall register under this section if the person is an adult or a child certified under section 260B.125 and was committed pursuant to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if the person is an adult or a child certified under section 260B.125 and:

(1) the person was charged with ~~or petitioned for~~ a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with ~~or petitioned for~~ a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

Sec. 2. Minnesota Statutes 2016, section 243.166, subdivision 6, is amended to read:

Subd. 6. **Registration period.** (a) Notwithstanding the provisions of section 609.165, subdivision 1, and except as provided in paragraphs (b), (c), and (d), a person required to register under this section shall continue to comply with this section until ten years have elapsed since the person initially registered in connection with the offense, or until the probation, supervised release, or conditional release period expires, whichever occurs later. For a person required to register under this section who is committed under section 253B.18, Minnesota Statutes 2012, section 253B.185, or chapter 253D, the ten-year registration period does not include the period of commitment.

(b) If a person required to register under this section fails to provide the person's primary address as required by subdivision 3, paragraph (b), fails to comply with the requirements of subdivision 3a, fails to provide information as required by subdivision 4a, or fails to return the verification form referenced in subdivision 4 within ten days, the commissioner of public safety shall require the person to continue to register for an additional period of five years. This five-year period is added to the end of the offender's registration period.

(c) If a person required to register under this section is incarcerated due to a conviction for a new offense or following a revocation of probation, supervised release, or conditional release for any offense, the person shall continue to register until ten years have elapsed since the person was last released from incarceration or until the person's probation, supervised release, or conditional release period expires, whichever occurs later.

(d) A person shall continue to comply with this section for the life of that person:

(1) if the person is convicted of ~~or adjudicated delinquent~~ for any offense for which registration is required under subdivision 1b, or convicted of any offense from another state or any federal offense similar to the offenses described in subdivision 1b, and the person has a prior conviction or adjudication for an offense for which registration was or would have been required under subdivision 1b, or an offense from another state or a federal offense similar to an offense described in subdivision 1b;

(2) if the person is required to register based upon a conviction ~~or delinquency adjudication~~ for an offense under section 609.185, paragraph (a), clause (2), or convicted of violating a similar statute from another state or the United States;

(3) if the person is required to register based upon a conviction for an offense under section 609.342, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.343, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.344, subdivision 1, paragraph (a), (c), or (g); or 609.345, subdivision 1, paragraph (a), (c), or (g); or convicted of violating a statute from another state or the United States similar to the offenses described in this clause; or

(4) if the person is required to register under subdivision 1b, paragraph (c), following commitment pursuant to a court commitment under Minnesota Statutes 2012, section 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the United States.

(e) A person described in subdivision 1b, paragraph (b), who is required to register under the laws of a state in which the person has been previously convicted or adjudicated delinquent, shall register under this section for the time period required by the state of conviction or adjudication unless a longer time period is required elsewhere in this section.