

PROPOSED AMENDMENTS TO SENATE BILL NO. 2299

Page 1, line 2, after the second "offenders" insert "; and to repeal section 27-20-52.1 of the North Dakota Century Code, relating to the law enforcement data base"

Page 1, line 22, overstrike "'Qualified board" means two or more experts in the field of behavior and"

Page 1, overstrike lines 23 and 24

Page 2, line 1, overstrike "f."

Page 2, after line 5, insert:

"f. "Sexually dangerous individual" means an individual who meets the definition specified in section 25-03.3-01."

Page 2, line 6, overstrike "'Sexually violent predator" means a sexual offender who suffers from a"

Page 2, overstrike line 7

Page 2, line 8, overstrike "engage in predatory sexually violent offenses" and insert immediately thereafter "Temporarily domiciled" means staying or being physically present at a location for longer than ten days, or maintaining employment in the jurisdiction for longer than ten days, regardless of the state of the residence"

Page 2, line 9, overstrike "After a person has pled guilty or has been found guilty as a sexual offender, the court"

Page 2, overstrike lines 10 through 13

Page 2, line 14, overstrike "3."

Page 2, line 17, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 18, overstrike "person" and insert immediately thereafter "individual" and overstrike the comma and insert immediately thereafter ". The individual must register"

Page 2, line 19, overstrike "person" and insert immediately thereafter "individual" and after "resides" insert "or is employed"

Page 2, line 20, remove the overstrike over "-The court", remove "and", and overstrike "a person" and insert immediately thereafter "an individual"

Page 2, line 21, overstrike "person" and insert immediately thereafter "individual"

Page 2, line 22, after the first "guilty" insert "or nolo contendere to,"

Page 2, line 26, after the first "guilty" insert "or nolo contendere to,"

Page 2, line 29, remove "found to be" and replace "violent predator" with "dangerous individual"

Page 2, line 30, after the first "guilty" insert "or nolo contendere to,"

Page 2, line 31, replace "offender" with "individual"

Page 3, line 1, after "finds" insert "the individual is no more than three years older than the victim," and replace "offender" with "individual"

Page 3, line 3, replace "offender" with "individual"

Page 3, line 5, remove "offender"

Page 3, line 8, replace "an offender" with "the juvenile" and replace the second "offender" with "juvenile"

Page 3, line 10, replace "offender" with "juvenile"

Page 3, line 12, after the first "guilty" insert "or nolo contendere to," and after "of" insert an underscored comma

Page 3, line 14, replace "The" with "Except if the offense is described in section 12.1-29-02, or section 12.1-18-01 or 12.1-18-02 and the person is not the parent of the victim, the"

Page 3, line 15, replace the first "offender" with "individual" and replace the second "offender" with "individual"

Page 3, line 17, replace "offender" with "individual"

Page 3, line 19, after the first "guilty" insert "or nolo contendere"

Page 3, line 20, replace "person" with "individual"

Page 3, line 21, replace "person" with "individual" and after "or" insert "sexual"

Page 3, line 23, replace "a person" with "an individual"

Page 3, line 24, replace "offender must" with "individual shall"

Page 3, after line 25, insert:

"3. If a court has not ordered an individual to register in this state, the individual shall register if the individual:"

Page 3, line 26, replace "h." with "a." and remove the overstrike over "for a crime"

Page 3, line 27, remove the overstrike over "against a child" and insert immediately thereafter "described in section 12.1-29-02, or section 12.1-18-01 or 12.1-18-02 if the individual was not the parent of the victim," and remove the overstrike over "or"

Page 3, line 28, remove the overstrike over "b." and remove "i."

Page 3, line 29, after "of" insert "this state for which registration is mandatory under this section or"

Page 3, line 30, overstrike "subdivisions a and", remove "f", and overstrike "of subsection 1" and insert immediately thereafter "this section if the individual was ordered by a court or required to register as a sexual offender, or for a crime against a child in another state or by the federal government"

Page 4, line 1, remove the overstrike over "e-", remove "j.", after the first "guilty" insert "or nolo contendere", after "to" insert an underscored comma, after "or" insert "has", remove the overstrike over "of" and insert immediately thereafter an underscored comma, remove the overstrike over "a" and insert immediately thereafter "felonious", and remove the overstrike over "~~crime against a child or~~"

Page 4, line 2, after "offender" insert "for which registration is mandatory under this section if the conviction occurred"

Page 4, line 6, replace "may" with "shall"

Page 4, line 7, after "counselor" insert ", psychologist,"

Page 4, line 8, replace "3" with "2"

Page 4, line 11, overstrike "a person" and insert immediately thereafter "an individual"

Page 4, line 12, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 13, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 14, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 15, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 16, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 17, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 18, overstrike "person" and insert immediately thereafter "individual" and after "reside" insert "or work"

Page 4, line 20, overstrike "one"

Page 4, line 21, overstrike "copy" and insert immediately thereafter "three copies", overstrike "person" and insert immediately thereafter "individual", and overstrike "four" and insert immediately thereafter "three"

Page 4, line 22, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 24, overstrike "person" and insert immediately thereafter "individual" and after "reside" insert "or work"

Page 4, line 25, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 26, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 28, overstrike "person" and insert immediately thereafter "individual"

Page 4, line 29, overstrike "A person" and insert immediately thereafter "An individual"

Page 4, line 31, overstrike "that person's" and insert immediately thereafter "the"

Page 5, line 1, overstrike the first "person" and insert immediately thereafter "individual" and overstrike the second "person" and insert immediately thereafter "individual"

Page 5, line 3, overstrike the first "person" and insert immediately thereafter "individual" and overstrike the second "person" and insert immediately thereafter "individual"

Page 5, line 4, overstrike "person" and insert immediately thereafter "individual" and after "reside" insert "or work"

Page 5, line 6, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 8, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 9, after "reside" insert "or work"

Page 5, line 10, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 12, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 14, overstrike "a person" and insert immediately thereafter "an individual"

Page 5, line 15, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 16, overstrike "person" and insert immediately thereafter "individual" and overstrike "person's" and insert immediately thereafter "individual's"

Page 5, line 17, after "address" insert ", or employment address if the individual is working in this state but not residing in this state"

Page 5, line 20, after "residence" insert "or employment"

Page 5, line 21, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 22, after "residence" insert "or employment"

Page 5, line 27, overstrike "A person" and insert immediately thereafter "An individual"

Page 6, line 1, overstrike "Until a court determination is made that the person no longer is a sexually"

Page 6, overstrike lines 2 through 4

Page 6, line 5, overstrike "making the determination" and insert immediately thereafter "For the life of the individual, if that individual:

- (1) On two or more occasions has pled guilty or nolo contendere to, or been found guilty of, an offense in which that individual was ordered by a court or otherwise required to register as a felonious sexual offender or felonious offender against a child under this section;
- (2) Pleads guilty or nolo contendere to, or is found guilty of, an offense committed after the effective date of this Act which is described in subdivision a of subsection 1 of section 12.1-20-03, subdivision d of subsection 1 of section 12.1-20-03 if the person is an adult and the victim is under age twelve, or section 12.1-18-01 if that individual is an adult other than a parent of the victim; or

- (3) Has been civilly committed as a sexually dangerous individual under chapter 25-03.3, under the laws of another state, or by the federal government"

Page 6, line 6, overstrike "A person" and insert immediately thereafter "An individual"

Page 6, line 7, overstrike "a person" and insert immediately thereafter "an individual, other than a juvenile,"

Page 6, line 9, overstrike "A person" and insert immediately thereafter "An individual"

Page 6, line 11, overstrike "a person" and insert immediately thereafter "an individual"

Page 6, line 13, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 16, overstrike "a person" and insert immediately thereafter "an individual"

Page 6, line 17, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 19, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 20, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 21, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 22, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 23, overstrike "shall" and insert immediately thereafter "must"

Page 6, line 29, after "A" insert "state officer,", after "agency" insert ", or school district", and overstrike "its"

Page 6, line 30, overstrike "officials, and its employees" and insert immediately thereafter "and an appointee, officer, or employee of those entities" and after "for" insert "making risk determinations or for"

Page 7, after line 11, insert:

- "13. If a juvenile is adjudicated delinquent and required or ordered to register as a sexual offender or as an offender against a child under this section, the juvenile shall comply with the registration requirements in this section. Notwithstanding any other provision of law, a law enforcement agency shall register a juvenile offender in the same manner as adult offenders and may release any relevant and necessary information on file to other law enforcement agencies, the department of human services, the superintendent or principal of the school the juvenile attends, or the public if disclosure is necessary to protect public health or safety. The school administration may notify others in similar positions if the juvenile transfers to another learning institution in or outside the state.
14. If an individual has been required to register as a sexual offender or an offender against a child under section 12.1-32-15 or 27-20-52.1 before the effective date of this Act, the individual may petition the court to be removed from the offender list if registration is no longer mandatory for that individual. In considering the petition, the court shall comply with the requirements of this section.

**SECTION 2. REPEAL.** Section 27-20-52.1 of the 1997 Supplement to the North Dakota Century Code is repealed."

Renumber accordingly