2 (By Senators Kessler (Acting President), Plymale, Minard, Nohe, 3 Klempa and Yost) 4 [Introduced February 1, 2011; referred to the Committee on the 5 6 Judiciary.] 7 8 9 10 11 A BILL to amend and reenact §15-12-9 of the Code of West Virginia, 12 1931, as amended, relating to the registration of out-of-state 13 sex offenders. 14 Be it enacted by the Legislature of West Virginia: 15 That §15-12-9 of the Code of West Virginia, 1931, as amended, 16 be amended and reenacted to read as follows: 17 ARTICLE 12. SEX OFFENDER REGISTRATION ACT. 18 §15-12-9. Registration of out-of-state offenders. 19 (a) When any probation or parole officer accepts supervision 20 of and has legal authority over any person required to register 21 under this article from another state under the terms and 22 conditions of the uniform act for out-of-state parolee supervision 23 established under article six, chapter twenty-eight of this code, 24 the officer shall give the person written notice of the

Senate Bill No. 379

1

- 1 registration requirements of this section and obtain a signed
- 2 statement from the person required to register acknowledging the
- 3 receipt of the notice. The officer shall obtain and submit to the
- 4 State Police the information required in subsection (d), section
- 5 two of this article.
- 6 (b) Any person:
- 7 (1) Who resides in another state or federal or military 8 jurisdiction;
- 9 (2) Who is employed, carries on a vocation, is a student in
- 10 this state, is a visitor to this state for a period of more than
- 11 fifteen continuous days or owns or leases habitable real property
- 12 in this state that he or she regularly visits or other real
- 13 property where he or she camps on a regular basis; and
- 14 (3) Who is required by the state, federal or military
- 15 jurisdiction in which he or she resides to register in that state,
- 16 federal or military jurisdiction as a sex offender, or has been
- 17 convicted of a violation in that state, federal or military
- 18 jurisdiction that is similar to a violation in this article
- 19 requiring registration as a sex offender in this state, shall
- 20 register in this state and otherwise comply with the provisions of
- 21 this article.
- 22 (c) Any person changing residence to this state from another
- 23 state or federal or military jurisdiction who is required to
- 24 register as a sex offender under the laws of that state or federal

1 or military jurisdiction shall register as a sex offender in this 2 state.

NOTE: The purpose of this bill is to require out-of-state sex offenders to register if they camp in West Virginia on a regular basis.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.