

JAN 3 1 2006
PUBLIC SAFETY

HOUSE FILE 2203
BY ALONS, DE BOEF, CHAMBERS,
and J.R. VAN FOSSEN

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the time period a sex offender has to register
2 with or notify the county sheriff and making a penalty
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2203

1 Section 1. Section 692A.3, Code 2005, is amended to read
2 as follows:

3 692A.3 REGISTRATION PROCESS.

4 1. A person required to register under this chapter shall
5 register with the sheriff of the county of the person's
6 residence ~~within-five-days-of~~ prior to the establishment of
7 residence in this state or within ~~five-days~~ one day of any
8 conviction for which the person is not incarcerated, a release
9 from custody, or placement on probation, parole, or work
10 release. A sheriff shall accept the registration of a
11 nonresident of the county if the person required to register
12 is a full-time or part-time student or is employed on a full-
13 time or part-time basis in the county.

14 2. A person required to register under this chapter shall,
15 ~~within-five-days-of~~ prior to changing residence within a
16 county in this state or ~~within-five-days-of~~ prior to a change
17 in the person's name as a result of marriage, dissolution of
18 marriage, or a legal name change, notify the sheriff of the
19 county in which the person is registered of the change of
20 address, name, and any changes in the person's telephone
21 number in writing on a form provided by the sheriff. The
22 sheriff shall send a copy of the change of information to the
23 department within three working days of receipt of notice of
24 the change. The sex offender registry shall maintain and make
25 available information from the registry cross-referenced by
26 name at the time of conviction and by name subsequent to any
27 change.

28 3. A person required to register under this chapter shall
29 register with the sheriff of a county in which residence has
30 been newly established and notify the sheriff of the county in
31 which the person was registered, ~~within-five-days-of~~ prior to
32 changing residence to a location outside the county in which
33 the person was registered. Registration shall be in writing
34 on a form provided by the sheriff and shall include the
35 person's change of address and any changes to the person's

1 telephone number or name. The sheriff of the county in which
2 the person was registered shall, as soon as possible, notify
3 the sheriff of the new county of residence of any change of
4 information. The sheriff shall send a copy of the change of
5 information to the department within three working days of
6 receipt of notice of the change.

7 4. A person required to register under this chapter shall
8 notify the sheriff of the county in which the person is
9 registered, ~~within-five-days-of~~ prior to changing residence to
10 a location outside this state, of the new residence address
11 and any changes in telephone number or name. The sheriff
12 shall send a copy of the change to the department within three
13 working days of receipt of notice of the change. The person
14 must register with the registering agency of the other state
15 ~~within-five-days-of~~ prior to changing residency, if persons
16 are required to register under the laws of the other state.
17 The department shall notify the registering agency in the
18 other state of the registrant's new address, telephone number,
19 or name.

20 5. The collection of information by a court or releasing
21 agency under section 692A.5 shall serve as the person's
22 initial registration for purposes of this section. The court
23 or releasing agency shall forward a copy of the registration
24 to the department within three working days of completion of
25 registration.

26 Sec. 2. Section 692A.3A, Code 2005, is amended to read as
27 follows:

28 692A.3A ADDITIONAL REGISTRATION REQUIREMENTS --
29 INSTITUTIONS OF HIGHER EDUCATION.

30 1. REGISTRATION IN COUNTY OTHER THAN COUNTY OF RESIDENCE.
31 In addition to the registration requirements in section
32 692A.3, a person required to register under this chapter, who
33 is a full-time or part-time student or is employed or engaged
34 in a vocation on a full-time or part-time basis at an
35 institution of higher education in a county other than the

1 county of residence, shall register with the sheriff of the
2 county in which the institution is located, and provide the
3 sheriff with the name of the institution. The person must
4 register ~~within-five-days-of~~ prior to becoming a student,
5 being employed, or engaging in a vocation at the institution.

6 2. REGISTRATION IN A COUNTY OF RESIDENCE. In addition to
7 the registration requirements in section 692A.3, a person
8 required to register under this chapter, who is a full-time or
9 part-time student or is employed or engaged in a vocation on a
10 full-time or part-time basis at an institution of higher
11 education in the county of residence, shall notify the sheriff
12 of the name of the institution. The person must notify the
13 sheriff ~~within-five-days-of~~ prior to becoming a student, being
14 employed, or engaging in a vocation at the institution.

15 3. CHANGE IN STATUS. A person required to register under
16 this chapter, ~~within-five-days-of~~ prior to the person's change
17 in status as a student, or in employment or vocation, shall
18 notify the sheriff of the county in which the information was
19 provided of the changes. The sheriff shall send a copy of the
20 information regarding the change to the department within
21 three working days of receipt of the notice of the change.

22 Sec. 3. Section 692A.5, subsection 1, paragraphs b, c, d,
23 and g, Code Supplement 2005, are amended to read as follows:

24 b. Inform the person of the duty to register within one
25 day of conviction, if not in custody.

26 c. Inform the person that, ~~within-five-days-of~~ prior to
27 changing residence, registration with the sheriff in the
28 county in which residence is going to be established is
29 required, if the residence is within the state.

30 d. Inform the person that if the person moves the person's
31 residence to another state, the person must give the person's
32 new address to the sheriff's department in the county of the
33 person's old residence ~~within-five-days-of~~ prior to changing
34 addresses, and that, if the other state has a registration
35 requirement, the person is also required to register in the

1 new state of residence, ~~not-later-than-five-days-after~~ prior
2 to establishing residence in the other state, and to verify
3 the address at least annually.

4 g. Inform the person that if the person is a resident or a
5 nonresident of a county where the person is a full-time or
6 part-time student, or employed or engaged in a vocation on a
7 full-time or part-time basis at an institution of higher
8 education, the person must register in the county where the
9 institution is located and notify the sheriff of the name of
10 the institution, ~~within-five-days-of~~ prior to becoming a
11 student, being employed, or engaging in a vocation at the
12 institution. Inform the person that if the person changes
13 status as a student, or in employment or vocation, the person
14 shall notify the sheriff of the county in which the
15 information was provided of the change ~~within-five-days-of~~
16 prior to the change.

17 EXPLANATION

18 This bill relates to the time period a sex offender has to
19 register with or notify the county sheriff.

20 The bill provides that a person required to register as a
21 sex offender must register with the county sheriff prior to
22 establishing a residence in this state, or within one day of
23 conviction or being released from custody. Current law
24 permits a person to register within five days of establishing
25 a residence in this state, or within five days of being
26 convicted or released from custody.

27 The bill also requires a sex offender to notify the county
28 sheriff prior to any address change or name change. Current
29 law requires the sex offender to notify the county sheriff
30 within five days of any address or name change.

31 The bill also requires a sex offender to register in a
32 county other than the county of residence prior to becoming a
33 student, being employed, or engaging in a vocation at an
34 educational institution that is not in the offender's county
35 of residence. The bill also requires the offender to provide

1 the county sheriff the name of the institution prior to
2 becoming a student, being employed, or engaging in a vocation
3 at the educational institution.

4 The bill also requires that the sheriff of the county in
5 which the person was registered shall, as soon as possible,
6 notify the sheriff of the new county of residence of the
7 registrant's new information.

8 Under the bill and in current law, the court is required to
9 inform a sex offender of the time period a sex offender has to
10 register with or notify the county sheriff.

11 A person who fails to comply with the provisions of the
12 bill commits an aggravated misdemeanor for a first offense,
13 and a class "D" felony for a second or subsequent offense.
14 However, a person who fails to comply with registration
15 requirements in a county other than the county of residence in
16 Code section 692A.3A commits a serious misdemeanor for a first
17 offense and a class "D" felony for a second or subsequent
18 offense.

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