

House Research Act Summary

CHAPTER: 233

SESSION: 1999 Regular Session

TOPIC: Sex offender registration and community notification

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Overview

This act requires certain persons who are committed under the civil commitment law as mentally ill and dangerous to the public: (1) to register as predatory sex offenders; and (2) to be subject to the community notification law. The act also expands the registration requirement for kidnaping to apply to any kidnaping, not just a kidnaping involving a minor victim. Finally, the act requires mandatory disclosure of certain information on level III sex offenders, subject to limited exceptions.

- 1** **Registration required.** Expands the list of individuals who must register under the sex offender registration law to include individuals who are:
 - charged with or petitioned for an offense listed in the registration law or a similar law of another state or federal jurisdiction;
 - 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
 - committed pursuant to a court commitment order under section 253B.18 (the commitment procedure for individuals who are deemed mentally ill and dangerous to the public) or a similar law of another state or federal jurisdiction.Also provides that the registration requirement for kidnaping applies to any kidnaping, not just a kidnaping involving a minor victim.
- 323** **Notice and registration period.** Makes technical changes to account for the additional registration requirement imposed in section 1.
- 4** **Definitions.** Expands the community notification law to make it applicable to individuals who must register as a sex offender under section 1.
- 5** **Law enforcement agency; disclosure of information to public.** Makes the disclosure of certain information about level III sex offenders mandatory unless the law enforcement agency

responsible for the disclosure determines that public safety would be compromised by the disclosure or that a more limited disclosure is necessary to protect the identity of the victim. Also prevents disclosure of the identifying characteristics of victims or witnesses to the offenders' offenses.

- 6 **Effective date.** Makes sections 1 to 4 effective August 1, 1999, for persons released from commitment on or after that date. Section 5 is effective the day following final enactment.