

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 2005*

Short Title: Sex Offender Registry/Name Changes. (Public)

Sponsors: Representatives Moore, R. Warren, Hilton (Primary Sponsors); Faison, E. Floyd, Gill, Ingle, Jackson, McGee, McLawhorn, Spear, and Wray.

Referred to: Judiciary II, if favorable, Appropriations.

May 26, 2010

A BILL TO BE ENTITLED

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2 AN ACT TO PROVIDE THAT A PERSON REQUIRED TO REGISTER AS A SEX
3 OFFENDER MUST INDICATE ON THE INITIAL REGISTRATION FORM THE
4 NAME UNDER WHICH THE PERSON WAS CONVICTED FOR THE SEX OFFENSE,
5 TO PROVIDE THAT THE REGISTRANT MUST ALSO NOTIFY THE APPROPRIATE
6 SHERIFF OF ANY NAME CHANGE BY THE REGISTRANT AND INCLUDE NAME
7 CHANGES AS PART OF THE VERIFICATION PROCEDURE, TO DIRECT THE
8 DIVISION OF CRIMINAL STATISTICS TO MAINTAIN THE STATEWIDE
9 REGISTRY SO THAT A MEMBER OF THE PUBLIC MAY CONDUCT SEX
10 OFFENDER SEARCHES USING ANY NAME OR ALIAS OF A REGISTRANT, AND
11 TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE FOR COMPUTER
12 AND SOFTWARE REPAIRS TO THE STATEWIDE REGISTRY COMPUTER
13 SYSTEM.

14 The General Assembly of North Carolina enacts:

15 **SECTION 1.** G.S. 14-208.7(b) reads as rewritten:

16 "(b) The Division shall provide each sheriff with forms for registering persons as
17 required by this Article. The registration form shall require all of the following:

18 (1) The person's full name, each alias, date of birth, sex, race, height, weight,
19 eye color, hair color, drivers license number, and home address.

20 (1a) A statement indicating what the person's name was at the time of the
21 conviction for the offense that requires registration; what alias, if any, the
22 person was using at the time of the conviction of that offense; and the name
23 of the person as it appears on the judgment imposing the sentence on the
24 person for the conviction of the offense.

25 (2) The type of offense for which the person was convicted, the date of
26 conviction, and the sentence imposed.

27 (3) A current photograph taken by the sheriff, without charge, at the time of
28 registration.

29 (4) The person's fingerprints taken by the sheriff, without charge, at the time of
30 registration.

31 (5) A statement indicating whether the person is a student or expects to enroll as
32 a student within a year of registering. If the person is a student or expects to
33 enroll as a student within a year of registration, then the registration form
34 shall also require the name and address of the educational institution at
35 which the person is a student or expects to enroll as a student.



1 (6) A statement indicating whether the person is employed or expects to be
2 employed at an institution of higher education within a year of registering. If
3 the person is employed or expects to be employed at an institution of higher
4 education within a year of registration, then the registration form shall also
5 require the name and address of the educational institution at which the
6 person is or expects to be employed.

7 (7) Any online identifier that the person uses or intends to use."

8 **SECTION 2.** The catch line for G.S. 14-208.9 reads as rewritten:

9 "**§ 14-208.9. Change of address; change of academic status or educational employment**
10 **status; change of online ~~identifier~~; ~~identifier~~; change of name.**"

11 **SECTION 3.** G.S. 14-208.9 is amended by adding a new subsection to read:

12 "(f) If a person required to register changes his or her name pursuant to Chapter 101 of
13 the General Statutes, then the person shall, within 10 days, report in person to the sheriff of the
14 county with whom the person registered to provide the name change to the sheriff. The sheriff
15 shall immediately forward this information to the Division."

16 **SECTION 4.** G.S. 14-208.9A(a)(3) reads as rewritten:

17 "(3) The verification form shall be signed by the person and shall indicate the
18 following:

19 a. Whether the person still resides at the address last reported to the
20 sheriff. If the person has a different address, then the person shall
21 indicate that fact and the new address.

22 b. Whether the person still uses or intends to use any online identifiers
23 last reported to the sheriff. If the person has any new or different
24 online identifiers, then the person shall provide those online
25 identifiers to the sheriff.

26 c. Whether the person still uses or intends to use the name under which
27 the person registered and last reported to the sheriff. If the person has
28 any new or different name, then the person shall provide that name to
29 the sheriff."

30 **SECTION 5.** G.S. 14-208.14(a)(3) reads as rewritten:

31 "(3) To coordinate efforts among law enforcement agencies and penal institutions
32 to ensure that the registration information, changes of address, change of
33 name, prerelease notifications, and notices of failure to register or to report a
34 change of address are conveyed in an appropriate and timely manner."

35 **SECTION 6.** G.S. 14-208.14 is amended by adding a new subdivision to read:

36 "(4a) To maintain the system for public access so that a registrant's full name, any
37 aliases, and any legal name changes are cross-referenced and a member of
38 the public may conduct a search of the system for a registrant under any of
39 those names."

40 **SECTION 7.** There is appropriated from the General Fund to the Department of
41 Justice the sum of ten thousand dollars (\$10,000) for the 2010-2011 fiscal year to make repairs
42 to the computer system and software in the Division of Criminal Statistics that houses and runs
43 the statewide sex offender registry so that a search on a registrant by a member of the public
44 can be done by using any of the registrant's names or aliases.

45 **SECTION 8.** Sections 1 through 6 of this act become effective December 1, 2010,
46 and apply to offenses committed on or after that date. The remainder of this act becomes
47 effective July 1, 2010.