

§11221. Maintenance of sex offender registry

1. Maintenance of registry. The bureau shall establish and maintain a registry of persons required to register pursuant to this subchapter. The registry must include the following information on each registrant:

A. The registrant's name, aliases, date of birth, sex, race, height, weight, eye color, mailing address and physical location of expected domicile and residence; [PL 2005, c. 423, §9 (AMD).]

B. Place of employment and college or school being attended, if applicable, and the corresponding address and location; [PL 2003, c. 371, §4 (AMD).]

C. Offense history; [PL 1999, c. 437, §2 (NEW).]

D. Notation of any treatment received for a mental abnormality or personality disorder; [PL 1999, c. 437, §2 (NEW).]

E. A photograph and set of fingerprints; [PL 1999, c. 437, §2 (NEW).]

F. A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed; and [PL 2003, c. 711, Pt. C, §17 (AMD); PL 2003, c. 711, Pt. D, §2 (AFF).]

G. Any other information the bureau determines important. [PL 1999, c. 437, §2 (NEW).]
[PL 2005, c. 423, §9 (AMD).]

2. National or regional registry. The bureau is authorized to make the registry available to and accept files from a national or regional registry of registrants for the purpose of sharing information. [PL 2003, c. 711, Pt. C, §18 (AMD); PL 2003, c. 711, Pt. D, §2 (AFF).]

3. Registration form. The bureau shall develop a standardized registration form to be made available to the appropriate reporting authorities and persons required to register. [PL 1999, c. 437, §2 (NEW).]

4. Verification form. The bureau shall develop and mail a nonforwardable verification form to the last reported mailing address of each person required to meet the verification requirements of this chapter. [PL 1999, c. 437, §2 (NEW).]

5. Sexually violent predator directory.
[PL 2003, c. 371, §5 (RP).]

6. Distribution of information to department and law enforcement agencies. The bureau shall distribute information described in subsection 1 to the department and law enforcement agencies having jurisdiction over the address and location of the registrant's domicile, residence, place of employment and college or school being attended. [PL 2005, c. 423, §10 (AMD).]

7. Rules.
[PL 2005, c. 423, §11 (RP).]

8. Criminal justice agency access to information. The bureau shall provide access to the information described in subsection 1 to criminal justice agencies. For purposes of this subsection, "criminal justice agency" has the same meaning as in Title 16, section 703, subsection 4. [PL 2013, c. 267, Pt. B, §28 (AMD).]

9. Public access to information. The bureau shall provide information to the public as follows.

A. The bureau shall post on the Internet for public inspection the following information concerning a registrant:

- (1) The registrant's name, date of birth and photograph;
- (2) The registrant's city or town of domicile and residence;
- (3) The registrant's place of employment and college or school being attended, if applicable, and the corresponding address and location;
- (4) The statutory citation and name of the offense for which the registrant was convicted; and
- (5) The registrant's designation as a 10-year registrant or a lifetime registrant. [PL 2011, c. 307, §1 (AMD).]

B. Upon receiving a written request that includes the name and date of birth of a registrant, the bureau shall provide the following information concerning a registrant to the requestor:

- (1) The registrant's name, aliases, date of birth, sex, race, height, weight, eye color, mailing address and physical location of domicile and residence;
- (2) The registrant's place of employment and college or school being attended, if applicable, and the corresponding address and location;
- (3) A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed; and
- (4) The registrant's photograph. [PL 2005, c. 423, §12 (AMD).]

[PL 2011, c. 307, §1 (AMD).]

9-A. Registry information. Registry information created, collected or maintained by the bureau, including, but not limited to, information relating to the identity of persons accessing the registry, is confidential, except the following are public records:

A. Information provided to the public pursuant to subsection 9; and [PL 2011, c. 299, §1 (NEW).]

B. Applications and bureau decisions, including any documents made part of those decisions, pursuant to section 11202-A. [PL 2011, c. 299, §1 (NEW).]

[PL 2011, c. 299, §1 (NEW).]

10. Registrant access to information. The bureau shall provide all information described in subsection 1, paragraphs A to F to a registrant who requests that person's own information. The process for access and review of that information is governed by Title 16, section 709.

[PL 2013, c. 267, Pt. B, §29 (AMD).]

11. Maintenance by bureau. Only the bureau is authorized to maintain a sex offender registry on the Internet for purposes of public access as described in subsection 9.

[PL 2005, c. 545, §1 (AMD).]

12. Law enforcement agency website. A law enforcement agency may maintain its own sex offender website and may make that information available for use by the public if:

A. A notice is prominently posted on the website that expressly states that the website is not the official state sex offender registry under subsection 1 and that the law enforcement agency posting the website is solely responsible for the website's content; [PL 2005, c. 545, §2 (NEW).]

B. The website provides a link to the bureau's Internet sex offender registry under subsection 1; [PL 2005, c. 545, §2 (NEW).]

C. The website contains information regarding only registrants who are domiciled, reside, attend college or school or work within the posting law enforcement agency's jurisdiction; and [PL 2005, c. 545, §2 (NEW).]

D. The information on the website is updated by the law enforcement agency as frequently as available resources permit, but no less than every 7 days. The law enforcement agency shall also prominently post on the website the date and time of the most recent update to the website. [PL 2005, c. 545, §2 (NEW).]

[PL 2005, c. 545, §2 (NEW).]

13. Access to registrant information existing in electronic form restricted. Notwithstanding Title 1, chapter 13:

A. The bureau may not disseminate in electronic form information about a registrant that is created, collected or maintained in electronic form by or for the bureau, except as made available to the public through the bureau's Internet website pursuant to subsection 9 and made available to the Background Check Center established pursuant to Title 22, chapter 1691; and [PL 2015, c. 299, §26 (AMD).]

B. Except as made available to the public through an Internet website maintained by a law enforcement agency pursuant to subsection 12, a law enforcement agency may not disseminate in electronic form information about a registrant that is collected or maintained in electronic form by or for the law enforcement agency. [PL 2011, c. 299, §3 (NEW).]

[PL 2015, c. 299, §26 (AMD).]

SECTION HISTORY

PL 1999, c. 437, §2 (NEW). PL 2003, c. 371, §§4-7 (AMD). PL 2003, c. 711, §§C17-20 (AMD). PL 2003, c. 711, §D2 (AFF). PL 2005, c. 423, §§9-13 (AMD). PL 2005, c. 545, §§1,2 (AMD). PL 2011, c. 299, §§1-3 (AMD). PL 2011, c. 307, §1 (AMD). PL 2013, c. 267, Pt. B, §§28, 29 (AMD). PL 2015, c. 299, §26 (AMD).

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