

History of Selected Measures passed by
ND State Legislature
Dealing with Offender Registration
And Community Notification

	N.D. State Legislature	Congress	Action
1991	SENATE BILL 2440 SENATE BILL 2574		Creation of registration statutes. Sex Offenders and OAC in separate statutes. 10 year registration, register within 14/30 days.
1993	SENATE BILL 2042		Sex offenders and OAC combined into one statute. Register within 30 days.
1994		Jacob Wetterling Act	
1995	HOUSE BILL 1152 Enactment of retroactive provision for convictions going back 10 years, and for those still on probation or parole. First inclusion of "community notification" language.		Convictions from federal court and other states required to register. Register within 10 days.
1996		--Megan's Law Amendment --Pam Lychner Act	
1997	HOUSE BILL 1048		Creation of a sexually violent predator class that has indefinite registration period.
1997/ 1998		Jacob Wetterling Improvements Act	
1999	SENATE BILL 2299 Extensive amendment of the offender registration statute. Court allowed to deviate from registration in some circumstances.		Requirement of registration of school and employment address. Creation of lifetime registration category.

2000		Campus Sex Crimes Prevention Act	Required registrants who work at or attend college to notify college administration of registration status
2001	SENATE BILL 2446		Established risk-based tier system and requirement that all sex offenders be assigned a risk level for community notification purposes.
2003	HOUSE BILL 1110		Minor housekeeping amendments
2005	HOUSE BILL 1061 Amended offender registration statute to require submission of DNA sample		Requirement of notice at least 10 days before a name, school, or address change
2006		Adam Walsh Child Protection and Safety Act	
2007	SENATE BILL 2259 Includes tribal court and other country convictions triggering registration. All failure to register offenses are now felonies.		Adopt Adam Walsh lengths of registration: 15 years, 25 years, Lifetime. Register within 3 days.
2009	HOUSE BILL 1334		5 days to notify of the termination of school or employment address
2011	HOUSE BILL 1435 Prohibits sex offenders from using a state park as a registration address.		SENATE BILL 2231 Adds vehicle and online identity to the address change requirements
2013	SENATE BILL 2320		Required release of information regarding juveniles to school administrators
2015	HOUSE BILL 1407		Addressed the issue of homeless sex offenders.



SMART

Office of Sex Offender Sentencing, Monitoring,
Apprehending, Registering, and Tracking

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Legislative History

- [KIDS Act of 2008](#)
- [42 U.S.C. 16901 et. seq. \(SORNA\)](#)
- [Relevant Provisions from Title 18 of the U.S. Code](#)

Federal Sex Offender Legislation

- **1994 - [Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act](#)** - Enacted as a part of the Omnibus Crime Bill of 1994, the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act:
 - Established guidelines for states to track sex offenders.
 - Required states to track sex offenders by confirming their place of residence annually for ten years after their release into the community or quarterly for the rest of their lives if the sex offender was convicted of a violent sex crime.
- **[Final Guidelines for the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act](#)**
- **1996 - [Megan's Law](#)** - During the mid-1990's every state, along with the District of Columbia, passed a Megan's Law. In January of 1996, Congress enacted the federal Megan's Law that:
 - Provided for the public dissemination of information from states' sex offender registries.
 - Provided that information collected under state registration programs could be disclosed for any purpose permitted under a state law.
 - Required state and local law enforcement agencies to release relevant information necessary to protect the public about persons registered under a State registration program established under the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act.
- **1996 - [The Pam Lychner Sex Offender Tracking and Identification Act of 1996](#)** - Required the Attorney General to establish a national database (the National Sex Offender Registry or 'NSOR') by which the FBI could track certain sex offenders. The law also:
 - Mandated certain sex offenders living in a state without a minimally sufficient sex offender registry program to register with the FBI.
 - Required the FBI to periodically verify the addresses of the sex offenders to whom the Act pertains.
 - Allowed for the dissemination of information collected by the FBI necessary to protect the public to federal, state and local officials responsible for law enforcement activities or for running background checks pursuant to the National Child Protection Act (42 U.S.C. §5119, *et. seq.*).
 - Set forth provisions relating to notification of the FBI and state agencies when a certain sex offender moved to another state.
- **1997 - [The Jacob Wetterling Improvements Act](#)** - Passed as part of the Appropriations Act of 1998, the Jacob Wetterling Improvements Act took several steps to amend provisions of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Pam Lychner Sex Offender Tracking and Identification Act, and other federal statutes. This law:
 - Changed the way in which state courts make a determination about whether a convicted sex offender should be considered a sexually violent offender to include the opinions not just of sex offender behavior and treatment experts but also of victims' rights' advocates and law enforcement representatives.
 - Allowed a state to impart the responsibilities of notification, registration, and FBI notification to a state agency beyond each state's law enforcement agency, if the state so chose.
 - Required registered offenders who change their state of residence to register under the new state's laws.
 - Required registered offenders to register in the states where they worked or went to school if those states were different from their state of residence.
 - Directed states to participate in the National Sex Offender Registry.
 - Required each state to set up procedures for registering out-of-state offenders, federal offenders, offenders sentenced by court martial, and non-resident offenders crossing the border to work or attend school.
 - Allowed states the discretion to register individuals who committed offenses that did not include Wetterling's definition of registerable offenses.
 - Required the Bureau of Prisons to notify state agencies of released or paroled federal offenders, and required the Secretary of Defense to track and ensure registration compliance of offenders with certain UCMJ convictions.
- **1998 - [Protection of Children from Sexual Predators Act](#)** - This Act:
 - Directed the Bureau of Justice Assistance (BJA) to carry out the Sex Offender Management Assistance (SOMA) program to help eligible states comply with registration requirements.
 - Prohibited federal funding to programs that gave federal prisoners access to the internet without supervision.
- **2000 - [The Campus Sex Crimes Prevention Act](#)** - Passed as part of the Victims of Trafficking and Violence Protection Act, the Campus Sex Crimes Prevention Act:
 - Required any person who was obligated to register in a state's sex offender registry to notify the institution of higher education at which the sex offender worked or was a student of his or her status as a sex offender; and to notify the same institution if there was any change in his or her enrollment or employment status.
 - Required that the information collected as a result of this Act be reported promptly to local law enforcement and entered promptly into the appropriate state record systems.
 - Amended the Higher Education Act of 1965 to require institutions obligated to disclose campus security policy and campus crime statistics to also provide notice of how information concerning registered sex offenders could be obtained.
- **2003 - [Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today \(PROTECT\) Act](#)**:
 - Required states to maintain a web site containing registry information, and required the Department of Justice to maintain a web site with links to each state web site.
 - Authorized appropriations to help defray state costs for compliance with new sex offender registration provisions.
- **2006 - [Adam Walsh Child Protection and Safety Act](#)**:
 - Created a new baseline standard for jurisdictions to implement regarding sex offender registration and notification.
 - Expanded the definition of "jurisdiction" to include 212 Federally-recognized Indian Tribes, of whom 197 have elected to stand up their own sex offender registration and notification systems.
 - Expanded the number of sex offenses that must be captured by registration jurisdictions to include all State, Territory, Tribal, Federal, and UCMJ sex offense convictions, as well as certain foreign convictions.

- Created the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office) within the Department of Justice, Office of Justice Programs, to administer the standards for sex offender notification and registration, administer the grant programs authorized by the Adam Walsh Act, and coordinate related training and technical assistance.
- Established a Sex Offender Management Assistance (SOMA) program within the Justice Department.
- Department of Justice, Office of the Attorney General, Applicability of the Sex Offender Registration and Notification Act (28 CFR Part 72) – this is a federal regulation that the Department of Justice passed to specify that SORNA's registration requirements are retroactive.
- Keeping the Internet Devoid of Predators Act (KIDS Act):
 - Amended SORNA to require registration jurisdictions to register Internet Identifiers.
 - Exempted Internet Identifiers from disclosure on any registration jurisdiction's public sex offender registry website.

State Legislation

For news on recent state legislation please go to the [criminal justice section of the National Conference of State Legislatures web site](#).