

## HOUSE AMENDMENT 2 TO HB1061.

inserting on line 24 of page 7 between the second use of the word "the" and the word "sentencing" the phrase "clerk of the"

AND

by deleting on lines 15 through 35 of page 11 and substituting the following:

"SECTION 13. (a) Registration records maintained pursuant to this act shall be open to any criminal justice agency in this state, the United States, or any other state. Registration records may also be open to government agencies authorized by law to conduct confidential background checks.

(b) (1) Local law enforcement agencies having jurisdiction shall disclose, in accordance with guidelines promulgated by the Child Abuse/Rape/Domestic Violence Commission, relevant and necessary information regarding offenders to the public when the disclosure of such information is necessary for public protection.

(c) (1) The Child Abuse/Rape/Domestic Violence Commission shall promulgate guidelines and procedures for the disclosure of relevant and necessary information regarding offenders to the public when the release of the information is necessary for public protection. In developing the guidelines and procedures, the commission shall consult with persons who, by experience or training, have a personal interest or professional expertise in law enforcement, crime prevention, victim advocacy, criminology, psychology, parole, public education, and community relations.

(2) The guidelines and procedures shall identify factors relevant to an offender s future dangerousness and likelihood of reoffense or threat to the community. The guidelines and procedures shall also address the extent of the information to be disclosed and the scope of the community to whom disclosure shall be made as these factors relate to the level of the offender s dangerousness, the offender s pattern of offending behavior, and to the need of community members for information to enhance their individual and collective safety.

(3) The Child Abuse/Rape/Domestic Violence Commission shall submit the proposed guidelines and procedures to the House and Senate Committees on Public Health, Welfare and Labor for their review and shall report to the Committees every six (6) months on the implementation of this section.

(d) (1) Local law enforcement agencies having jurisdiction that decide to disclose information pursuant to this section shall make a good faith effort to notify the public and residents at least fourteen (14) days before an offender is released or placed into the community.

(2) If a change occurs in an offender release plan, this notification provision shall not require an extension of the release date.

(3) The Department of Correction and the Department of Human Services shall, in conjunction with the notice provided under section 14 of this act, make available to a

local law enforcement agency having jurisdiction all information that the departments have concerning the offender, including information on risk factors in the offender s history.

(e) Local law enforcement agencies having jurisdiction that decide to disclose information under this section shall make a good faith effort to conceal the identity of the victim or victims of the offender s offense.

(f) Local enforcement agencies having jurisdiction may continue to disclose information on an offender under this section for as long as the offender is required to be registered under this act.

(g) The State Board of Education shall promulgate guidelines for the disclosure to students and parents of information regarding an offender when such information is released to a local school district by a local law enforcement agency having jurisdiction. The board of directors of a local school district shall adopt a written policy, in accordance with guidelines promulgated by the State Board, regarding the distribution to students and parents of information regarding an offender.

(h) Nothing in this section shall be construed to prevent law enforcement officers from notifying members of the public exposed to danger of any persons that pose a danger under circumstances that are not enumerated in this act."

AND

by deleting on lines 30 and 31 of page 15 the phrase "failing to release any information in accordance with this act" and substituting the phrase "for any discretionary decision to release relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith."