

LC00231

# STATE OF RHODE ISLAND

## IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2004

### A N A C T

#### RELATING TO CRIMINAL OFFENSES -- SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION

Introduced By: Senator John A. Celona

Date Introduced: January 07, 2004

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

SECTION 1. Section 11-37.1-14 of the General Laws in Chapter 11-37.1 entitled "Sexual Offender Registration and Community Notification" is hereby amended to read as follows:

**11-37.1-14. Preliminary proceedings on objection to community notification -- Procedures.** -- Upon receipt of a request from a person subject to community notification under section 11-37.1-12(c)(2)(ii) or (iii), the superior court, or the family court of the county in which the person resides or intends to reside upon release, shall:

(1) Set a date for hearing and decision on the matter, [the date to be prior to the offender's scheduled release or parole](#);

(2) Provide notice of the date for the hearing to both the applicant or his or her counsel and to the attorney general;

(3) Appoint counsel for the applicant if he or she cannot afford one; and

(4) Direct that the attorney general promptly provide copies of all papers, documents and other materials which formed the basis for the determination of the level and manner of community notification be provided to the court and the applicant or his or her counsel.

SECTION 2. Chapter 11-37.1 of the General Laws entitled "Sexual Offender Registration and Community Notification" is hereby amended by adding thereto the following sections:

**11-37.1-12.1. Costs of community notification borne by offender.** – [Whenever any](#)

1 person is convicted of any criminal offense against a minor as defined in section 11-37.1-2 and is  
2 required to register in accordance with section 11-37.1-3, the court shall order said person to pay  
3 the costs of community notification upon release, parole or probation. The parole board shall  
4 determine the reasonable cost of said community notification as required by this chapter, payment  
5 in full, of notification costs shall be a condition of release, parole or probation.

6 **11-37.1-12.2. Community notification awareness fund.** – A community notification  
7 awareness fund is hereby established to effectuate reimbursement of cities and towns for the costs  
8 associated with community notification pursuant to this chapter. The fund shall be administered  
9 by the presiding justice of the superior court. All funds collected pursuant to section 11-37.1-12.1  
10 shall be paid by the clerk of the superior court to the general treasurer who shall keep the funds in  
11 a community notification awareness account. The general treasurer shall reimburse cities and  
12 towns for the costs of community notification. Said amount shall be limited to the sum actually  
13 collected from the offender as a condition of release, parole or probation.

14 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO CRIMINAL OFFENSES -- SEXUAL OFFENDER REGISTRATION AND  
COMMUNITY NOTIFICATION

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- 1           This act would amend "Megan's Law" by establishing a community notification and  
2 awareness fund which would reimburse cities and towns for the costs associated with the  
3 notification process of sexual offenders, and would require the offenders to pay the cost of  
4 notification to the fund as a condition of release, parole or probation.  
5           This act would take effect upon passage.

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