

HOUSE BILL No. 5896

February 24, 2010, Introduced by Rep. Valentine and referred to the Committee on Judiciary.

A bill to amend 1994 PA 295, entitled
"Sex offenders registration act,"
(MCL 28.721 to 28.736) by adding section 2a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2A. (1) IF A PERSON IS A RESIDENT OF THIS STATE BUT DOES
2 NOT HAVE A RESIDENCE AS DEFINED IN SECTION 2(G), THE PERSON'S
3 RESIDENCE FOR PURPOSES OF THIS ACT IS AS FOLLOWS:

4 (A) IF THE PERSON IS PRESENT IN A CITY OR VILLAGE HAVING AN
5 ORGANIZED POLICE DEPARTMENT FOR A MAJORITY OF HIS OR HER TIME
6 WITHIN A 30-DAY PERIOD, THE POLICE DEPARTMENT OF THAT CITY OR
7 VILLAGE IS CONSIDERED TO BE HIS OR HER RESIDENCE.

8 (B) UNLESS SUBDIVISION (A) APPLIES, IF THE PERSON IS PRESENT
9 IN A TOWNSHIP HAVING AN ORGANIZED POLICE DEPARTMENT FOR A MAJORITY

1 OF HIS OR HER TIME WITHIN A 30-DAY PERIOD, THE POLICE DEPARTMENT OF
2 THAT TOWNSHIP IS CONSIDERED TO BE HIS OR HER RESIDENCE.

3 (C) UNLESS SUBDIVISION (A) OR (B) APPLIES, IF THE PERSON IS
4 PRESENT IN A COUNTY FOR A MAJORITY OF HIS OR HER TIME WITHIN A 30-
5 DAY PERIOD, THE SHERIFF'S DEPARTMENT OF THAT COUNTY IS CONSIDERED
6 TO BE HIS OR HER RESIDENCE.

7 (2) A PERSON DESCRIBED IN SUBSECTION (1) SHALL REPORT TO A
8 POLICE DEPARTMENT OR SHERIFF'S DEPARTMENT WITHIN 14 DAYS AFTER THE
9 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION TO
10 REGISTER AS A RESIDENT WITHIN THAT CITY, VILLAGE, TOWNSHIP, OR
11 COUNTY.

12 (3) THE LOCATION OF A POLICE DEPARTMENT OR SHERIFF'S
13 DEPARTMENT THAT IS DESIGNATED AS A RESIDENCE UNDER THIS SECTION
14 DOES NOT APPLY FOR PURPOSES OF ESTABLISHING A VIOLATION OF THE
15 PROHIBITION AGAINST RESIDING WITHIN A STUDENT SAFETY ZONE UNDER
16 SECTION 35(1), BUT DOES APPLY TO THE PROHIBITION AGAINST INITIATING
17 OR MAINTAINING CONTACT WITH A MINOR WITHIN THAT STUDENT SAFETY
18 ZONE.

19 (4) THE REGISTERING AUTHORITY SHALL NOTE ON THE REGISTRATION
20 FORM THAT THE PERSON IS REGISTERING AS PROVIDED IN THIS SECTION.
21 THE DEPARTMENT OF STATE POLICE SHALL NOTE IN THE DATABASES PROVIDED
22 FOR UNDER SECTION 8 THAT THE PERSON DOES NOT HAVE A RESIDENCE BUT
23 THAT THE PERSON IS PRESENT FOR A MAJORITY OF HIS OR HER TIME IN THE
24 LOCAL UNIT OF GOVERNMENT SPECIFIED UNDER THIS SECTION.