

1                                   **SEX OFFENDER REGISTRATION**

2   **AMENDMENTS**

3   2009 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Kenneth W. Sumsion**

6   Senate Sponsor: Jon J. Greiner

---

---

7

8   **LONG TITLE**

9   **General Description:**

10           This bill modifies the Code of Criminal Procedure regarding the sex offender registry  
11 by requiring that offenders not under supervision of the Department of Corrections  
12 register with the local law enforcement agency.

13   **Highlighted Provisions:**

14           This bill:

15           ▶ provides that sex and kidnap offenders required to register with the Department of  
16 Corrections will register instead with the local law enforcement agency if the  
17 offender is no longer under the supervision of the Department of Corrections;

18           ▶ requires that the staff of the local law enforcement agency that will be conducting  
19 the offender registration shall receive initial and annual training from the  
20 Department of Corrections; and

21           ▶ requires that the Department of Corrections notify local law enforcement agencies  
22 of an offender's change of residence within five days of receiving the information  
23 regarding the change.

24   **Monies Appropriated in this Bill:**

25           None

26   **Other Special Clauses:**

27           None

28   **Utah Code Sections Affected:**

29   AMENDS:

30 77-27-21.5, as last amended by Laws of Utah 2008, Chapters 133, 342, 355, and 382



31  
32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section 77-27-21.5 is amended to read:

34 **77-27-21.5. Sex and kidnap offenders -- Registration -- Information system --**  
35 **Law enforcement and courts to report -- Registration -- Penalty -- Effect of**  
36 **expungement.**

37 (1) As used in this section:

38 (a) "Business day" means a day on which state offices are open for regular business.

39 (b) "Department" means the Department of Corrections.

40 (c) "Division" means the Division of Juvenile Justice Services.

41 (d) "Employed" or "carries on a vocation" includes employment that is full time or  
42 part time, whether financially compensated, volunteered, or for the purpose of government or  
43 educational benefit.

44 (e) "Indian Country" means:

45 (i) all land within the limits of any Indian reservation under the jurisdiction of the  
46 United States government, regardless of the issuance of any patent, and includes rights-of-way  
47 running through the reservation;

48 (ii) all dependent Indian communities within the borders of the United States whether  
49 within the original or subsequently acquired territory, and whether or not within the limits of a  
50 state; and

51 (iii) all Indian allotments, including the Indian allotments to which the Indian titles to  
52 have not been extinguished, including rights-of-way running through the allotments.

53 (f) "Jurisdiction" means any state, Indian [~~County~~] Country, or United States  
54 Territory.

55 (g) "Kidnap offender" means any person other than a natural parent of the victim who:

56 (i) has been convicted in this state of a violation of:

57 (A) Section 76-5-301, kidnapping;

- 58 (B) Section 76-5-301.1, child kidnapping;
- 59 (C) Section 76-5-302, aggravated kidnapping;
- 60 (D) Section 76-5-304, unlawful detention; or
- 61 (E) attempting, soliciting, or conspiring to commit any felony offense listed in
- 62 Subsections (1)(g)(i)(A) through ~~[(G)]~~ (D);
- 63 (ii) has been convicted of any crime, or an attempt, solicitation, or conspiracy to
- 64 commit a crime in another jurisdiction that is substantially equivalent to the offenses listed in
- 65 Subsection (1)(g)(i) and who is:
  - 66 (A) a Utah resident; or
  - 67 (B) not a Utah resident, but who, in any 12 month period, is in this state for a total of
  - 68 ten or more days, regardless of whether or not the offender intends to permanently reside in
  - 69 this state;
  - 70 (iii) is required to register as an offender in any other jurisdiction, and who, in any 12
  - 71 month period, is in this state for a total of ten or more days, regardless of whether or not the
  - 72 offender intends to permanently reside in this state;
  - 73 (iv) is a nonresident regularly employed or working in this state, or who is a student in
  - 74 this state, and was convicted of one or more offenses listed in Subsection (1)(g) or (1)(n), or
  - 75 any substantially equivalent offense in another jurisdiction, or as a result of the conviction, is
  - 76 required to register in the person's state of residence;
  - 77 (v) is found not guilty by reason of insanity in this state or in any other jurisdiction of
  - 78 one or more offenses listed in Subsection (1)(g); or
  - 79 (vi) is adjudicated delinquent based on one or more offenses listed in Subsection
  - 80 (1)(g)(i) and who has been committed to the division for secure confinement and remains in
  - 81 the division's custody 30 days prior to the person's 21st birthday.
  - 82 (h) "Natural parent" means a minor's biological or adoptive parent, and includes the
  - 83 minor's noncustodial parent.
  - 84 (i) "Offender" means a kidnap offender as defined in Subsection (1)(g) or a sex
  - 85 offender as defined in Subsection (1)(n).

86 (j) "Online identifier" means any electronic mail, chat, instant messenger, social  
87 networking, or similar name used for Internet communication. It does not include date of  
88 birth, Social Security number, or PIN number.

89 (k) "Primary residence" means the location where the offender regularly resides, even  
90 if the offender intends to move to another location or return to another location at any future  
91 date.

92 (l) "Register" means to comply with the requirements of this section and  
93 administrative rules of the department made under this section.

94 (m) "Secondary residence" means any real property that the offender owns or has a  
95 financial interest in, and any location where, in any 12 month period, the offender stays  
96 overnight a total of ten or more nights when not staying at the offender's primary residence.

97 (n) "Sex offender" means any person:

98 (i) convicted in this state of:

99 (A) a felony or class A misdemeanor violation of Section 76-4-401, enticing a minor;

100 (B) a felony or class A misdemeanor violation of Section 76-9-702.7, voyeurism;

101 (C) a felony violation of Section 76-5-401, unlawful sexual activity with a minor;

102 (D) Section 76-5-401.1, sexual abuse of a minor;

103 (E) Section 76-5-401.2, unlawful sexual conduct with a 16 or 17 year old;

104 (F) Section 76-5-402, rape;

105 (G) Section 76-5-402.1, rape of a child;

106 (H) Section 76-5-402.2, object rape;

107 (I) Section 76-5-402.3, object rape of a child;

108 (J) a felony violation of Section 76-5-403, forcible sodomy;

109 (K) Section 76-5-403.1, sodomy on a child;

110 (L) Section 76-5-404, forcible sexual abuse;

111 (M) Section 76-5-404.1, sexual abuse of a child or aggravated sexual abuse of a child;

112 (N) Section 76-5-405, aggravated sexual assault;

113 (O) Section 76-5a-3, sexual exploitation of a minor;

- 114 (P) Section 76-7-102, incest;
- 115 (Q) Section 76-9-702.5, lewdness involving a child;
- 116 (R) Section 76-10-1306, aggravated exploitation of prostitution; or
- 117 (S) attempting, soliciting, or conspiring to commit any felony offense listed in
- 118 Subsection (1)(n)(i);
- 119 (ii) who has been convicted of any crime, or an attempt, solicitation, or conspiracy to
- 120 commit a crime in another jurisdiction that is substantially equivalent to the offenses listed in
- 121 Subsection (1)(n)(i) and who is:
- 122 (A) a Utah resident; or
- 123 (B) not a Utah resident, but who, in any 12 month period, is in this state for a total of
- 124 ten or more days, regardless of whether the offender intends to permanently reside in this state;
- 125 (iii) who is required to register as an offender in any other jurisdiction, and who, in
- 126 any 12 month period, is in the state for a total of ten or more days, regardless of whether or not
- 127 the offender intends to permanently reside in this state;
- 128 (iv) who is a nonresident regularly employed or working in this state or who is a
- 129 student in this state and was convicted of one or more offenses listed in Subsection (1)(n)(i),
- 130 or any substantially equivalent offense in any jurisdiction, or as a result of the conviction, is
- 131 required to register in the person's jurisdiction of residence;
- 132 (v) who is found not guilty by reason of insanity in this state, or in any other
- 133 jurisdiction of one or more offenses listed in Subsection (1)(n)(i); or
- 134 (vi) who is adjudicated delinquent based on one or more offenses listed in Subsection
- 135 (1)(n)(i) and who has been committed to the division for secure confinement and remains in
- 136 the division's custody 30 days prior to the person's 21st birthday.
- 137 (o) "Vehicle" means any motor vehicle, aircraft, or watercraft subject to registration in
- 138 any jurisdiction.
- 139 (2) The department, to assist in investigating sex-related crimes and in apprehending
- 140 offenders, shall:
- 141 (a) develop and operate a system to collect, analyze, maintain, and disseminate

142 information on offenders and sex and kidnap offenses;

143 (b) make information listed in Subsection [~~(25)~~] (27) available to the public; and

144 (c) require that a sex offender provide to the department any password required for use  
145 with an online identifier. Passwords provided to the department may not be disclosed to the  
146 public.

147 (3) Any law enforcement agency shall, in the manner prescribed by the department,  
148 inform the department of:

149 (a) the receipt of a report or complaint of an offense listed in Subsection (1)(g) or (n),  
150 within three business days; and

151 (b) the arrest of a person suspected of any of the offenses listed in Subsection (1)(g) or  
152 (n), within five business days.

153 (4) Upon convicting a person of any of the offenses listed in Subsection (1)(g) or (n),  
154 the convicting court shall within three business days forward a copy of the judgment and  
155 sentence to the department.

156 (5) An offender in the custody of the department shall be registered by agents of the  
157 department upon:

158 (a) placement on probation;

159 (b) commitment to a secure correctional facility operated by or under contract to the  
160 department;

161 (c) release from confinement to parole status, termination or expiration of sentence, or  
162 escape;

163 (d) entrance to and release from any community-based residential program operated by  
164 or under contract to the department; or

165 (e) termination of probation or parole.

166 (6) An offender who is not in the custody of the department and who is confined in a  
167 correctional facility not operated by or under contract to the department shall be registered  
168 with the department by the sheriff of the county in which the offender is confined, upon:

169 (a) commitment to the correctional facility; and

170 (b) release from confinement.

171 (7) An offender in the custody of the division shall be registered with the department  
172 by the division prior to release from custody.

173 (8) An offender committed to a state mental hospital shall be registered with the  
174 department by the hospital upon admission and upon discharge.

175 (9) (a) (i) A municipal or county law enforcement agency shall register an offender  
176 who resides within the agency's jurisdiction and is not under the supervision of the Division of  
177 Adult Probation and Parole within the department.

178 (ii) In order to conduct offender registration under this section, the agency shall ensure  
179 the agency staff responsible for registration:

180 (A) has received initial training by the department and has been certified by the  
181 department as qualified and authorized to conduct registrations and enter offender registration  
182 information into the registry database; and

183 (B) certify annually with the department.

184 (b) (i) When the department receives offender registration information regarding a  
185 change of an offender's primary residence location, the department shall within five days  
186 electronically notify the law enforcement agencies that have jurisdiction over the area where:

187 (A) the residence that the offender is leaving is located; and

188 (B) the residence to which the offender is moving is located.

189 (ii) The department shall provide notification under this Subsection (9)(b) if the  
190 offender's change of address is between law enforcement agency jurisdictions, or is within one  
191 jurisdiction.

192 (c) The department shall make available to offenders required to register under this  
193 section the name of the agency, whether it is a local law enforcement agency or the  
194 department, that the offender should contact to register, the location for registering, and the  
195 requirements of registration.

196 [~~9~~] (10) An offender convicted by any other jurisdiction is required to register under  
197 Subsection (1)(g) or (n) and Subsection [~~10~~] (12) and shall register with the department

198 within ten days of entering the state, regardless of the offender's length of stay.

199 (11) (a) An offender required to register under Subsection (1)(g) or (n) who is under  
200 supervision by the department shall register with Division of Adult Probation and Parole.

201 (b) An offender required to register under Subsection (1)(g) or (n) who is no longer  
202 under supervision by the department shall register with the police department or sheriff's office  
203 that has jurisdiction over the area where the offender resides.

204 [~~10~~] (12) (a) Except as provided in Subsections [~~10~~] (12)(b), (c), and (d), an  
205 offender shall, for the duration of the sentence and for ten years after termination of sentence  
206 or custody of the division, register every year during the month of the offender's birth, during  
207 the month that is the sixth month after the offender's birth month, and also within three  
208 business days of every change of the offender's primary residence, any secondary residences,  
209 place of employment, vehicle information, or educational information required to be submitted  
210 under Subsection [~~12~~] (14).

211 (b) Except as provided Subsections [~~10~~] (12)(c) and (d), an offender who is  
212 convicted in another jurisdiction of an offense listed in Subsection (1)(g)(i) or (n)(i), a  
213 substantially similar offense, or any other offense that requires registration in the jurisdiction  
214 of conviction, shall:

215 (i) register for the time period, and in the frequency, required by the jurisdiction where  
216 the offender was convicted if that jurisdiction's registration period or registration frequency  
217 requirement for the offense that the offender was convicted of is greater than the ten years  
218 from completion of the sentence registration period that is required under Subsection [~~10~~]  
219 (12)(a), or is more frequent than every six months; or

220 (ii) register in accordance with the requirements of Subsection [~~10~~] (12)(a), if the  
221 jurisdiction's registration period or frequency requirement for the offense that the offender was  
222 convicted of is less than the registration period required under Subsection [~~10~~] (12)(a), or is  
223 less frequent than every six months.

224 (c) (i) (A) An offender convicted as an adult of any of the offenses listed in Subsection  
225 [~~10~~] (12)(c)(ii) shall, for the offender's lifetime, register every year during the month of the



226 offender's birth, during the month that is the sixth month after the offender's birth month, and  
227 also within three business days of every change of the offender's primary residence, any  
228 secondary residences, place of employment, vehicle information, or educational information  
229 required to be submitted under Subsection [~~(12)~~] (14).

230 (B) This registration requirement is not subject to exemptions and may not be  
231 terminated or altered during the offender's lifetime.

232 (ii) Offenses referred to in Subsection [~~(12)~~] (12)(c)(i) are:

233 (A) any offense listed in Subsection (1)(g) or (n) if, at the time of the conviction, the  
234 offender has previously been convicted of an offense listed in Subsection (1)(g) or (n) or has  
235 previously been required to register as a sex offender for an offense committed as a juvenile;

236 (B) a conviction for any of the following offenses, including attempting, soliciting, or  
237 conspiring to commit any felony of:

238 (I) Section 76-5-301.1, child kidnapping, except if the offender is a natural parent of  
239 the victim;

240 (II) Section 76-5-402, rape;

241 (III) Section 76-5-402.1, rape of a child;

242 (IV) Section 76-5-402.2, object rape;

243 (V) Section 76-5-402.3, object rape of a child;

244 (VI) Section 76-5-403.1, sodomy on a child;

245 (VII) Subsection 76-5-404.1(4), aggravated sexual abuse of a child; or

246 (VIII) Section 76-5-405, aggravated sexual assault;

247 (C) Section 76-4-401, a felony violation of enticing a minor over the Internet;

248 (D) Section 76-5-302, aggravated kidnapping, except if the offender is a natural parent  
249 of the victim;

250 (E) Section 76-5-403, forcible sodomy;

251 (F) Section 76-5-404.1, sexual abuse of a child; or

252 (G) Section 76-5a-3, sexual exploitation of a minor.

253 (d) Notwithstanding Subsections [~~(12)~~] (12)(a), (b), and (c), an offender who is

254 confined in a secure facility or in a state mental hospital is not required to register during the  
255 period of confinement.

256 (e) An offender who is required to register under this Subsection [~~(10)~~] (12) shall  
257 surrender the offender's license, certificate, or identification card as required under Subsection  
258 53-3-216(3) or 53-3-807(4) and may apply for a license certificate or identification card as  
259 provided under Section 53-3-205 or 53-3-804.

260 [~~(11)~~] (13) An agency in the state that registers an offender on probation, an offender  
261 who has been released from confinement to parole status or termination, or an offender whose  
262 sentence has expired shall inform the offender of the duty to comply with:

263 (a) the continuing registration requirements of this section during the period of  
264 registration required in Subsection [~~(10)~~] (12), including:

265 (i) notification to the state agencies in the states where the registrant presently resides  
266 and plans to reside when moving across state lines;

267 (ii) verification of address at least every 60 days pursuant to a parole agreement for  
268 lifetime parolees; and

269 (iii) notification to the out-of-state agency where the offender is living, whether or not  
270 the offender is a resident of that state; and

271 (b) the driver license certificate or identification card surrender requirement under  
272 Subsection 53-3-216(3) or 53-3-807(4) and application provisions under Section 53-3-205 or  
273 53-3-804.

274 [~~(12)~~] (14) An offender shall provide the department or the registering entity with the  
275 following information:

276 (a) all names and aliases by which the offender is or has been known;

277 (b) the addresses of the offender's primary and secondary residences;

278 (c) a physical description, including the offender's date of birth, height, weight, eye  
279 and hair color;

280 (d) the make, model, color, year, plate number, and vehicle identification number of  
281 any vehicle or vehicles the offender owns or regularly drives;

- 282 (e) a current photograph of the offender;
  - 283 (f) a set of fingerprints, if one has not already been provided;
  - 284 (g) a DNA specimen, taken in accordance with Section 53-10-404, if one has not  
285 already been provided;
  - 286 (h) telephone numbers and any other designations used by the offender for routing or  
287 self-identification in telephonic communications from fixed locations or cellular telephones;
  - 288 (i) Internet identifiers and the addresses the offender uses for routing or  
289 self-identification in Internet communications or postings;
  - 290 (j) the name and Internet address of all websites on which the sex offender is  
291 registered using an online identifier, including all online identifiers and passwords used to  
292 access those websites;
  - 293 (k) a copy of the offender's passport, if a passport has been issued to the offender;
  - 294 (l) if the offender is an alien, all documents establishing the offender's immigration  
295 status;
  - 296 (m) all professional licenses that authorize the offender to engage in an occupation or  
297 carry out a trade or business, including any identifiers, such as numbers;
  - 298 (n) each educational institution in Utah at which the offender is employed, carries on a  
299 vocation, or is a student, and any change of enrollment or employment status of the offender at  
300 any educational institution;
  - 301 (o) the name and the address of any place where the offender is employed or will be  
302 employed;
  - 303 (p) the name and the address of any place where the offender works as a volunteer or  
304 will work as a volunteer; and
  - 305 (q) the offender's Social Security number.
- 306 [~~(13)~~] (15) The department shall:
- 307 (a) provide the following additional information when available:
  - 308 (i) the crimes the offender has been convicted of or adjudicated delinquent for;
  - 309 (ii) a description of the offender's primary and secondary targets; and

310 (iii) any other relevant identifying information as determined by the department;

311 (b) maintain the Sex Offender Notification and Registration website; and

312 (c) ensure that the registration information collected regarding an offender's

313 enrollment or employment at an educational institution is:

314 (i) (A) promptly made available to any law enforcement agency that has jurisdiction

315 where the institution is located if the educational institution is an institution of higher

316 education; or

317 (B) promptly made available to the district superintendent of the school district where

318 the offender is enrolled if the educational institution is an institution of primary education; and

319 (ii) entered into the appropriate state records or data system.

320 [~~14~~] (16) (a) An offender who knowingly fails to register under this section or

321 provides false or incomplete information is guilty of:

322 (i) a third degree felony and shall be sentenced to serve a term of incarceration for not

323 less than 90 days and also at least one year of probation if:

324 (A) the offender is required to register for a felony conviction or adjudicated

325 delinquent for what would be a felony if the juvenile were an adult of an offense listed in

326 Subsection (1)(g)(i) or (n)(i); or

327 (B) the offender is required to register for the offender's lifetime under Subsection

328 [~~10~~] (12)(c); or

329 (ii) a class A misdemeanor and shall be sentenced to serve a term of incarceration for

330 not fewer than 90 days and also at least one year of probation if the offender is required to

331 register for a misdemeanor conviction or is adjudicated delinquent for what would be a

332 misdemeanor if the juvenile were an adult of an offense listed in Subsection (1)(g)(i) or (n)(i).

333 (b) Neither the court nor the Board of Pardons and Parole may release a person who

334 violates this section from serving the term required under Subsection [~~14~~] (16)(a). This

335 Subsection [~~14~~] (16)(b) supersedes any other provision of the law contrary to this section.

336 (c) The offender shall register for an additional year for every year in which the

337 offender does not comply with the registration requirements of this section.

338           ~~[(15)]~~ (17) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
339 Management Act, information in Subsection ~~[(13)]~~ (15) collected and released under  
340 Subsection ~~[(25)]~~ (27) is public information.

341           ~~[(16)]~~ (18) (a) If an offender is to be temporarily sent outside a secure facility in which  
342 the offender is confined on any assignment, including, without limitation, firefighting or  
343 disaster control, the official who has custody of the offender shall, within a reasonable time  
344 prior to removal from the secure facility, notify the local law enforcement agencies where the  
345 assignment is to be filled.

346           (b) This Subsection ~~[(16)]~~ (18) does not apply to any person temporarily released  
347 under guard from the institution in which the person is confined.

348           ~~[(17)]~~ (19) Notwithstanding Sections 77-18-9 through 77-18-14 regarding  
349 expungement, a person convicted of any offense listed in Subsection (1)(g) or (n) is not  
350 relieved from the responsibility to register as required under this section.

351           ~~[(18)]~~ (20) Notwithstanding Section 42-1-1, an offender:

352           (a) may not change the offender's name:

353           (i) while under the jurisdiction of the department; and

354           (ii) until the registration requirements of this statute have expired; and

355           (b) may not change the offender's name at any time, if registration is for life under  
356 Subsection ~~[(10)]~~ (12)(c).

357           ~~[(19)]~~ (21) The department may make administrative rules necessary to implement this  
358 section, including:

359           (a) the method for dissemination of the information; and

360           (b) instructions to the public regarding the use of the information.

361           ~~[(20)]~~ (22) Any information regarding the identity or location of a victim shall be  
362 redacted by the department from information provided under Subsections ~~[(12)]~~ (14) and  
363 ~~[(13)]~~ (15).

364           ~~[(21)]~~ (23) This section does not create or impose any duty on any person to request or  
365 obtain information regarding any sex offender from the department.

366            [~~(22)~~] (24) The department shall maintain a Sex Offender Notification and  
367 Registration website on the Internet, which shall contain a disclaimer informing the public:

368            (a) the information contained on the site is obtained from offenders and the  
369 department does not guarantee its accuracy or completeness;

370            (b) members of the public are not allowed to use the information to harass or threaten  
371 offenders or members of their families; and

372            (c) harassment, stalking, or threats against offenders or their families are prohibited  
373 and doing so may violate Utah criminal laws.

374            [~~(23)~~] (25) The Sex Offender Notification and Registration website shall be indexed  
375 by both the surname of the offender and by postal codes.

376            [~~(24)~~] (26) The department shall construct the Sex Offender Notification and  
377 Registration website so that users, before accessing registry information, must indicate that  
378 they have read the disclaimer, understand it, and agree to comply with its terms.

379            [~~(25)~~] (27) The Sex Offender Notification and Registration website shall include the  
380 following registry information:

381            (a) all names and aliases by which the offender is or has been known;

382            (b) the addresses of the offender's primary, secondary, and temporary residences;

383            (c) a physical description, including the offender's date of birth, height, weight, and  
384 eye and hair color;

385            (d) the make, model, color, year, and plate number of any vehicle or vehicles the  
386 offender owns or regularly drives;

387            (e) a current photograph of the offender;

388            (f) a list of all professional licenses that authorize the offender to engage in an  
389 occupation or carry out a trade or business;

390            (g) each educational institution in Utah at which the offender is employed, carries on a  
391 vocation, or is a student;

392            (h) a list of places where the offender works as a volunteer;

393            (i) the crimes listed in Subsections (1)(g) and (1)(n) that the offender has been

394 convicted of or for which the offender has been adjudicated delinquent in juvenile court; and

395 (j) a description of the offender's primary and secondary targets.

396 ~~[(26)]~~ (28) The department, its personnel, and any individual or entity acting at the  
397 request or upon the direction of the department are immune from civil liability for damages for  
398 good faith compliance with this section and will be presumed to have acted in good faith by  
399 reporting information.

400 ~~[(27)]~~ (29) The department shall redact information that, if disclosed, could  
401 reasonably identify a victim.

402 ~~[(28)]~~ (30) (a) Each offender required to register under Subsection ~~[(10)]~~ (12) shall, in  
403 the month of the offender's birth, pay to the department an annual fee of \$100 each year the  
404 offender is subject to the registration requirements of this section.

405 (b) Notwithstanding Subsection ~~[(28)]~~ (30)(a), an offender who is confined in a secure  
406 facility or in a state mental hospital is not required to pay the annual fee.

407 (c) The department shall deposit fees under this Subsection ~~[(28)]~~ (30) in the General  
408 Fund as a dedicated credit, to be used by the department for maintaining the offender registry  
409 under this section and monitoring offender registration compliance, including the costs of:

- 410 (i) data entry;
- 411 (ii) processing registration packets;
- 412 (iii) updating registry information;
- 413 (iv) ensuring offender compliance with registration requirements under this section;

414 and

415 (v) apprehending offenders who are in violation of the offender registration  
416 requirements under this section.

417 ~~[(29)]~~ (31) Notwithstanding Subsections (2)(c) and ~~[(12)]~~ (14)(i) and (j), a sex  
418 offender is not required to provide the department with:

419 (a) the offender's online identifier and password used exclusively for the offender's  
420 employment on equipment provided by an employer and used to access the employer's private  
421 network; or

422           (b) online identifiers for the offender's financial accounts, including any bank,  
423 retirement, or investment accounts.