

H.B. 13

OFFENDER REGISTRY REVIEW

Representative **Jack R. Draxler** proposes the following amendments:

1. *Page 2, Lines 29 through 30:*

29 Other Special Clauses:

30 ~~{None}~~ **This bill coordinates with H.B. 17, Sex Offender Registry Chapter.**

2. *Page 16, Lines 463 through 467*

House Committee Amendments

1-26-2012:

463 (32) An offender may petition the court of conviction for the offense requiring
464 registration for an order removing the offender from the Sex Offender and Kidnap Offender
465 Registry if:

466 (a) the offender was convicted of:

467 (i) Section 76-5- ~~H~~→ [40] 401 ←~~H~~ , unlawful sexual activity with a minor **and at the time of the offense was not more than 10 years older than the victim** ;

3. *Page 17, Lines 501 through 502:*

501 (34) (a) The offender shall **file the petition, original information, and court docket with the court,**
and deliver a copy of the petition to the office of the prosecuting
502 attorney.

4. *Page 17, Lines 509 through 511:*

509 (b) The prosecuting attorney ~~{and the victim, if applicable, may respond to the petition~~

510 by filing} **shall provide the following, if available, to the court within 30 days after receiving the petition:**

(i) presentencing report;

(ii) any evaluation done as part of sentencing; and

(iii) any other information the prosecutor feels the court should consider.

(c) The victim may respond to the petition by filing a recommendation or objection with the court
within 30 days after the mailing of the

511 petition.

5. *Page 17, Lines 512 through 513:*

512 (35) The court shall review all documents submitted with the petition . and {~~may~~}
shall hold a
513 hearing if requested by the prosecutor or the victim . The court shall consider whether the offender has
paid all restitution ordered by the

6. Page 23, Line 689:

689 (ii) to cover operations and maintenance costs on the court complex.

Section 3. Coordination Clause.

**If this H.B. 13 and H.B. 17, Sex Offender Registry Chapter, both pass and become law, the
Legislature intends that:**

**(1) Subsections 77-27-21.5(1)(a), (c), and (q) in this bill be merged alphabetically into Section
77-41-102 in H.B. 17, renumber the subsections, and change the internal cross references accordingly;**

**(2) Subsections 77-27-21.5(32) through (36) in this bill be created as a new Section 77-41-112,
renumber the subsections, and change the internal cross references accordingly; and**

**(3) the Office of Legislative Research and General Counsel make these changes when preparing the
Utah Code database for publication.**