

AN ACT

ENTITLED, An Act to revise certain provisions regarding sex offender registration.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 22-24B-12 be amended to read:

22-24B-12. Any person who is required to register as a sex offender pursuant to the provisions of this chapter, and who moves to a different location or residence address shall inform the law enforcement agency where the person last registered of the person's new location or address, in writing, within three business days. The law enforcement agency shall, within three days of receipt of the person's information under this section, forward the information to the Division of Criminal Investigation and to the law enforcement agency having jurisdiction over the person's new location or residence. A failure to register pursuant to this section is a Class 6 felony for a first offense. Any second or subsequent violation of the provisions of this section is a Class 5 felony.

Section 2. That chapter 22-24B be amended by adding a NEW SECTION to read:

Any person who is required to register as a sex offender pursuant to the provisions of this chapter and who intends to move to a different location or residence address outside of the state, shall inform the law enforcement agency where the person last registered of the person's new location or address, in person pursuant to the provisions of § 22-24B-2, not less than three business days prior to leaving the state. The law enforcement agency shall, within three days of the receipt of the person's information under this section, forward the information to the Division of Criminal Investigation and to the law enforcement agency having jurisdiction over the person's new location or residence. A failure to register pursuant to this section is a Class 6 felony for a first offense. Any second or subsequent violation of the provisions of this section is a Class 5 felony.

Section 3. That § 22-24B-22 be amended to read:

22-24B-22. Terms used in §§ 22-24B-22 to 22-24B-28, inclusive, mean:

- (1) "Community safety zone," the measurement of a straight line that creates an area that lies within five hundred feet from the facilities and grounds of any school, public park, public playground, or public pool, including the facilities and grounds itself;
- (2) "Loiter," to remain for a period of time and under circumstances that a reasonable person would determine is for the primary purpose of observing or contacting minors;
- (3) "School," any public, private, denominational, or parochial school offering preschool, kindergarten, or any grade from one through twelve accredited through the Department of Education;
- (4) "Residence," the address a person lists for purposes of the sex offender registry under § 22-24-12 and subdivision 22-24B-8(3).

Section 4. That § 22-24B-37 be amended to read:

22-24B-37. Any person who is required to register as a sex offender pursuant to the provisions of this chapter shall report that person's intention to travel outside of the United States at least twenty-one days in advance of the travel to the chief of police or county sheriff. The law enforcement officer shall complete a notification of international travel of sex offender form and forward the form to the United States Marshals Service National Sex Offender Targeting Center and to the Division of Criminal Investigation. A violation of the provisions of this section is a Class 1 misdemeanor.

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I certify that the attached Act
originated in the
SENATE as Bill No. 61

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 61
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____,
20__ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State