

109TH CONGRESS
1ST SESSION

S. 792

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Referred to the Committee on the Judiciary

AN ACT

To establish a National sex offender registration database,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dru Sjodin National
5 Sex Offender Public Database Act of 2005” or “Dru’s
6 Law”.

1 **SEC. 2. DEFINITION.**

2 In this Act:

3 (1) **CRIMINAL OFFENSE AGAINST A VICTIM WHO**
4 **IS A MINOR.**—The term “criminal offense against a
5 victim who is a minor” has the same meaning as in
6 section 170101(a)(3) of the Jacob Wetterling
7 Crimes Against Children and Sexually Violent Of-
8 fender Registration Act (42 U.S.C. 14071(a)(3)).

9 (2) **MINIMALLY SUFFICIENT SEXUAL OF-**
10 **FENDER REGISTRATION PROGRAM.**—The term
11 “minimally sufficient sexual offender registration
12 program” has the same meaning as in section
13 170102(a) of the Jacob Wetterling Crimes Against
14 Children and Sexually Violent Offender Registration
15 Act (42 U.S.C. 14072(a)).

16 (3) **SEXUALLY VIOLENT OFFENSE.**—The term
17 “sexually violent offense” has the same meaning as
18 in section 170101(a)(3) of the Jacob Wetterling
19 Crimes Against Children and Sexually Violent Of-
20 fender Registration Act (42 U.S.C. 14071(a)(3)).

21 (4) **SEXUALLY VIOLENT PREDATOR.**—The term
22 “sexually violent predator” has the same meaning as
23 in section 170102(a) of the Jacob Wetterling Crimes
24 Against Children and Sexually Violent Offender
25 Registration Act (42 U.S.C. 14072(a)).

1 **SEC. 3. AVAILABILITY OF THE NSOR DATABASE TO THE**
2 **PUBLIC.**

3 (a) IN GENERAL.—The Attorney General shall—

4 (1) make publicly available in a registry (in this
5 Act referred to as the “public registry”) from infor-
6 mation contained in the National Sex Offender Reg-
7 istry or State sex offender web sites, via the Inter-
8 net, all information described in subsection (b); and

9 (2) allow for users of the public registry to de-
10 termine which registered sex offenders are currently
11 residing within a radius, as specified by the user of
12 the public registry, of the location indicated by the
13 user of the public registry.

14 (b) INFORMATION AVAILABLE IN PUBLIC REG-
15 ISTRY.—With respect to any person convicted of a crimi-
16 nal offense against a victim who is a minor or a sexually
17 violent offense, or any sexually violent predator, required
18 to register with a minimally sufficient sexual offender reg-
19 istration program within a State, including a program es-
20 tablished under section 170101 of the Jacob Wetterling
21 Crimes Against Children and Sexually Violent Offender
22 Registration Act (42 U.S.C. 14071(b)), the public registry
23 shall provide, to the extent available in the National Sex
24 Offender Registry—

25 (1) the name and any known aliases of the per-
26 son;

1 (2) the date of birth of the person;

2 (3) the current address of the person and any
3 subsequent changes of that address;

4 (4) a physical description and current photo-
5 graph of the person;

6 (5) the nature of and date of commission of the
7 offense by the person;

8 (6) the date on which the person is released
9 from prison, or placed on parole, supervised release,
10 or probation; and

11 (7) any other information the Attorney General
12 considers appropriate.

13 **SEC. 4. RELEASE OF HIGH RISK INMATES.**

14 (a) CIVIL COMMITMENT PROCEEDINGS.—

15 (1) IN GENERAL.—Any State that provides for
16 a civil commitment proceeding, or any equivalent
17 proceeding, shall issue timely notice to the attorney
18 general of that State of the impending release of any
19 person incarcerated by the State who—

20 (A) is a sexually violent predator; or

21 (B) has been deemed by the State to be at
22 high-risk for recommitting any sexually violent
23 offense or criminal offense against a victim who
24 is a minor.

1 (2) REVIEW.—Upon receiving notice under
2 paragraph (1), the State attorney general shall con-
3 sider whether or not to institute a civil commitment
4 proceeding, or any equivalent proceeding required
5 under State law.

6 (b) MONITORING OF RELEASED PERSONS.—

7 (1) IN GENERAL.—Each State shall intensively
8 monitor, for not less than 1 year, any person de-
9 scribed under paragraph (2) who—

10 (A) has been unconditionally released from
11 incarceration by the State; and

12 (B) has not been civilly committed pursu-
13 ant to a civil commitment proceeding, or any
14 equivalent proceeding under State law.

15 (2) APPLICABILITY.—Paragraph (1) shall apply
16 to—

17 (A) any sexually violent predator; or

18 (B) any person who has been deemed by
19 the State to be at high-risk for recommitting
20 any sexually violent offense or criminal offense
21 against a victim who is a minor.

22 (c) COMPLIANCE.—

23 (1) COMPLIANCE DATE.—Each State shall have
24 not more than 3 years from the date of enactment

1 of this Act in which to implement the requirements
2 of this section.

3 (2) INELIGIBILITY FOR FUNDS.—A State that
4 fails to implement the requirements of this section,
5 shall not receive 25 percent of the funds that would
6 otherwise be allocated to the State under section
7 20106(b) of the Violent Crime Control and Law En-
8 forcement Act of 1994 (42 U.S.C. 13706(b)).

9 (3) REALLOCATION OF FUNDS.—Any funds
10 that are not allocated for failure to comply with this
11 section shall be reallocated to States that comply
12 with this section.

Passed the Senate July 28, 2005.

Attest:

EMILY J. REYNOLDS,

Secretary.