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S. 2387

To establish guidelines and incentives for States to establish arsonist registries and to require the Attorney General to establish a national arsonist registry and notification program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2007

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To establish guidelines and incentives for States to establish arsonist registries and to require the Attorney General to establish a national arsonist registry and notification program, 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 “Managing Arson
5 Through Criminal History (MATCH) Act of 2007”.

1 **SEC. 2. ARSONIST REGISTRATION AND NOTIFICATION PRO-**
2 **GRAM.**

3 (a) REGISTRY REQUIREMENTS FOR JURISDIC-
4 TIONS.—

5 (1) JURISDICTION TO MAINTAIN A REGISTRY.—

6 Each jurisdiction shall establish and maintain a ju-
7 risdiction-wide arsonist registry conforming to the
8 requirements of this section.

9 (2) GUIDELINES AND REGULATIONS.—The At-
10 torney General shall issue guidelines and regulations
11 to interpret and implement this section.

12 (b) REGISTRY REQUIREMENTS FOR CRIMINAL
13 ARSONISTS.—

14 (1) IN GENERAL.—A criminal arsonist shall
15 register, and shall keep the registration current, in
16 each jurisdiction where the arsonist resides, where
17 the arsonist is an employee, and where the arsonist
18 is a student. For initial registration purposes only,
19 a criminal arsonist shall also register in the jurisdic-
20 tion in which convicted if such jurisdiction is dif-
21 ferent from the jurisdiction of residence.

22 (2) INITIAL REGISTRATION.—The criminal ar-
23 sonist shall initially register—

24 (A) before completing a sentence of impris-
25 onment with respect to the offense giving rise
26 to the registration requirement; or

1 (B) not later than 5 business days after
2 being sentenced for that offense, if the criminal
3 arsonist is not sentenced to a term of imprison-
4 ment.

5 (3) KEEPING THE REGISTRATION CURRENT.—A
6 criminal arsonist shall, not later than 10 business
7 days after each change of name, residence, employ-
8 ment, or student status, appear in person in at least
9 one jurisdiction involved pursuant to paragraph (1)
10 and inform that jurisdiction of all changes in the in-
11 formation required for that arsonist in the arsonist
12 registry involved. That jurisdiction shall immediately
13 provide the revised information to all other jurisdic-
14 tions in which the arsonist is required to register.

15 (4) APPLICATION OF REGISTRATION REQUIRE-
16 MENTS.—

17 (A) IN GENERAL.—Except as provided in
18 guidelines under subparagraph (B), the require-
19 ments of this section, including the duties to
20 register and to keep a registration current, shall
21 apply only to a criminal arsonist who was con-
22 victed of a criminal offense involving arson on
23 or after the date of the enactment of this Act,
24 and who was notified of such duties and reg-
25 istered in accordance with subsection (f).

(B) APPLICATION TO CRIMINAL ARSONISTS

UNABLE TO COMPLY WITH PARAGRAPH (2).—

(i) GUIDELINES.—The Attorney General shall establish guidelines in accordance with the provisions of this subparagraph for each jurisdiction for the application of the requirements of this section to criminal arsonists convicted before the date of the enactment of this Act or the date of its implementation in such a jurisdiction, and shall prescribe rules for the registration of any such criminal arsonists who are otherwise unable to comply with paragraph (2).

(ii) INFORMATION REQUIRED TO BE INCLUDED IN REGISTRY.—With respect to each criminal arsonist described in clause (i) convicted during the 10-year period preceding the date of the enactment of this Act, the guidelines under clause (i) shall provide for the inclusion in the arsonist registry of each applicable jurisdiction (and, in accordance with subsection (j), the provision by such jurisdiction to each entity described in such subsection) of the following information:

1 (I) The name of the arsonist (in-
2 cluding any alias used by the arson-
3 ist).

4 (II) The Social Security number
5 of the arsonist.

6 (III) The most recent known ad-
7 dress of the residence at which the ar-
8 sonist has resided.

9 (IV) A physical description of the
10 arsonist.

11 (V) The text of the provision of
12 law defining the criminal offense re-
13 lated to arson for which the arsonist
14 is convicted.

15 (VI) A set of fingerprints and
16 palm prints of the arsonist.

17 (VII) A photocopy of a valid driv-
18 er's license or identification card
19 issued to the arsonist by a jurisdic-
20 tion, if available.

21 (VIII) Any other information re-
22 quired by the Attorney General.

23 (iii) NOTICE REQUIRED.—The guide-
24 lines under clause (i) shall provide notice
25 to each criminal arsonist included in an ar-

1 sonist registry pursuant to this subpara-
2 graph of such inclusion.

3 (5) STATE PENALTY FOR FAILURE TO COM-
4 PLY.—Each jurisdiction, other than a Federally rec-
5 ognized Indian tribe, shall provide a criminal penalty
6 that includes a maximum term of imprisonment that
7 is greater than one year for the failure of a criminal
8 arsonist to comply with the requirements of this sec-
9 tion.

10 (6) AUTHORITY TO EXEMPT CERTAIN CRIMINAL
11 ARSONISTS FROM REGISTRY REQUIREMENTS.—A ju-
12 risdiction shall have the authority to exempt a crimi-
13 nal arsonist who has been convicted of the offense
14 of arson in violation of the laws of the jurisdiction
15 in which the offense was committed or the United
16 States for the first time from the registration re-
17 quirements under this section in exchange for such
18 arsonist's substantial assistance in the investigation
19 or prosecution of another person who has committed
20 an offense. The Attorney General shall assure that
21 any regulations promulgated under this section in-
22 clude guidelines that reflect the general appropriate-
23 ness of exempting such an arsonist from the reg-
24 istration requirements under this section.

25 (c) INFORMATION REQUIRED IN REGISTRATION.—

1 (1) PROVIDED BY THE ARSONIST.—A criminal
2 arsonist shall provide the following information to
3 the appropriate official for inclusion in the arsonist
4 registry of a jurisdiction in which such arsonist is
5 required to register:

6 (A) The name of the arsonist (including
7 any alias used by the arsonist).

8 (B) The Social Security number of the ar-
9 sonist.

10 (C) The address of each residence at which
11 the arsonist resides or will reside.

12 (D) The name and address of any place
13 where the arsonist is an employee or will be an
14 employee.

15 (E) The name and address of any place
16 where the arsonist is a student or will be a stu-
17 dent.

18 (F) The license plate number and a de-
19 scription of any vehicle owned or operated by
20 the arsonist.

21 (G) Any other information required by the
22 Attorney General.

23 (2) PROVIDED BY THE JURISDICTION.—The ju-
24 risdiction in which a criminal arsonist registers shall

1 ensure that the following information is included in
 2 the registry for such arsonist:

3 (A) A physical description of the arsonist.

4 (B) The text of the provision of law defin-
 5 ing the criminal offense for which the arsonist
 6 is registered.

7 (C) The criminal history of the arsonist,
 8 including the date of all arrests and convictions;
 9 the status of parole, probation, or supervised
 10 release; registration status; and the existence of
 11 any outstanding arrest warrants for the arson-
 12 ist.

13 (D) A current photograph of the arsonist.

14 (E) A set of fingerprints and palm prints
 15 of the arsonist.

16 (F) A photocopy of a valid driver's license
 17 or identification card issued to the arsonist by
 18 a jurisdiction.

19 (G) Any other information required by the
 20 Attorney General.

21 (d) DURATION OF REGISTRATION REQUIREMENT;
 22 EXPUNGING REGISTRIES OF INFORMATION FOR CERTAIN
 23 JUVENILE CRIMINAL ARSONISTS.—

24 (1) DURATION OF REGISTRATION REQUIRE-
 25 MENT.—A criminal arsonist shall keep the registra-

tion information provided under subsection (c) current for the full registration period (excluding any time the arsonist is in custody). For purposes of this subsection, the full registration period—

(A) shall commence on the later of the date on which the arsonist is convicted of an offense of arson in violation of the laws of the jurisdiction in which the offense was committed or the United States, the date on which the arsonist is released from prison for such conviction, or the date on which such arsonist is placed on parole, supervised release, or probation for such conviction; and

(B) shall be—

(i) five years for an arsonist who has been convicted of such an offense for the first time;

(ii) ten years for an arsonist who has been convicted of such an offense for the second time; and

(iii) for the life of the arsonist for an arsonist who has been convicted of such an offense more than twice.

(2) EXPUNGING REGISTRIES OF INFORMATION FOR CERTAIN JUVENILE CRIMINAL ARSONISTS.—

1 (A) IN GENERAL.—In the case of a crimi-
2 nal arsonist described in subparagraph (B), a
3 jurisdiction shall expunge the arson registry of
4 such jurisdiction of information related to such
5 criminal arsonist as of the date that is 5 years
6 after the last day of the applicable full registra-
7 tion period under paragraph (1).

8 (B) CRIMINAL ARSONIST DESCRIBED.—
9 For purposes of subparagraph (A), a criminal
10 arsonist described in this subparagraph is a
11 criminal arsonist who—

12 (i) was a juvenile tried as an adult for
13 the offense giving rise to the duty to reg-
14 ister; and

15 (ii) was not convicted of any other
16 criminal felony during the period beginning
17 on the first day of the applicable full reg-
18 istration period under paragraph (1) and
19 ending on the last day of the 5-year period
20 described in subparagraph (A).

21 (C) APPLICATION TO OTHER DATA-
22 BASES.—The Attorney General shall establish a
23 process to ensure that each entity that receives
24 information under subsection (j) with respect to
25 a criminal arsonist described in subparagraph

1 (B) shall expunge the applicable database of
2 such information as of the date that is 5 years
3 after the last day of the applicable full registra-
4 tion period under paragraph (1).

5 (e) ANNUAL VERIFICATION.—Not less than once in
6 each calendar year during the full registration period, a
7 criminal arsonist required to register under this section
8 shall—

9 (1) appear in person at not less than one juris-
10 diction in which such arsonist is required to register;

11 (2) allow such jurisdiction to take a current
12 photograph of the arsonist; and

13 (3) while present at such jurisdiction, verify the
14 information in each registry in which that arsonist
15 is required to be registered.

16 (f) DUTY TO NOTIFY CRIMINAL ARSONISTS OF REG-
17 ISTRATION REQUIREMENTS AND TO REGISTER.—

18 (1) IN GENERAL.—An appropriate official shall,
19 shortly before release of a criminal arsonist from
20 custody, or, if the arsonist is not in custody, imme-
21 diately after the sentencing of the arsonist for the
22 offense giving rise to the duty to register—

23 (A) inform the arsonist of the duties of the
24 arsonist under this section and explain those
25 duties in a manner that the arsonist can under-

1 stand in light of the arsonist's native language,
 2 mental capability, and age;

3 (B) ensure that the arsonist understands
 4 the registration requirement, and if so, require
 5 the arsonist to read and sign a form stating
 6 that the duty to register has been explained and
 7 that the arsonist understands the registration
 8 requirement;

9 (C) if the arsonist is unable to understand
 10 the registration requirements, the official shall
 11 sign a form stating that the arsonist is unable
 12 to understand the registration requirements;
 13 and

14 (D) ensure that the arsonist is registered.

15 (2) NOTIFICATION OF CRIMINAL ARSONISTS
 16 WHO CANNOT COMPLY WITH PARAGRAPH (1).—The
 17 Attorney General shall prescribe rules to ensure the
 18 notification and registration of criminal arsonists in
 19 accordance with paragraph (1) who cannot be noti-
 20 fied and registered at the time set forth in para-
 21 graph (1).

22 (g) ACCESS TO CRIMINAL ARSONIST INFORMATION
 23 THROUGH THE INTERNET.—

24 (1) IN GENERAL.—Except as provided in this
 25 subsection, each jurisdiction shall make available on

1 the Internet, in a manner that is readily accessible
2 to law enforcement personnel and fire safety officers
3 located in the jurisdiction, all information about
4 each criminal arsonist in the registry. The jurisdic-
5 tion shall also include in the design of its Internet
6 site all field search capabilities needed for full par-
7 ticipation in the National criminal arsonist Internet
8 site established under subsection (i) and shall par-
9 ticipate in that Internet site as provided by the At-
10 torney General in regulations which comply with this
11 paragraph.

12 (2) PROHIBITION ON ACCESS BY THE PUB-
13 LIC.—Such information about a criminal arsonist
14 shall not be made available on the Internet to the
15 public.

16 (3) MANDATORY EXEMPTIONS.—A jurisdiction
17 shall exempt from disclosure, with respect to infor-
18 mation about a criminal arsonist—

19 (A) any information about the arsonist in-
20 volving conviction for an offense other than the
21 offense or offenses for which the arsonist is reg-
22 istered;

23 (B) any information about the arsonist if
24 the arsonist is participating in a witness protec-
25 tion program and the release of such informa-

1 tion could jeopardize the safety of the arsonist
2 or any other individual; and

3 (C) any other information identified as a
4 mandatory exemption from disclosure by the
5 Attorney General.

6 (4) OPTIONAL EXEMPTIONS.—A jurisdiction is
7 authorized to exempt from disclosure, with respect
8 to information about a criminal arsonist—

9 (A) the name of an employer of the arson-
10 ist; and

11 (B) the name of an educational institution
12 where the arsonist is a student.

13 (5) CORRECTION OF ERRORS.—The Attorney
14 General shall establish guidelines for each jurisdic-
15 tion for a process to seek correction of information
16 included in the Internet site established by the juris-
17 diction pursuant to paragraph (1) in the case that
18 an individual contends such information is erro-
19 neous. Such guidelines shall provide for an adequate
20 period following the date on which the individual has
21 knowledge of the information's inclusion in the
22 Internet site for the individual to seek such correc-
23 tion of information.

24 (6) WARNING.—An Internet site established by
25 a jurisdiction pursuant to paragraph (1) shall in-

1 clude a warning that information on the site is to be
2 used for law enforcement purposes only and may
3 only be disclosed in connection with such purposes.
4 The warning shall note that any such action could
5 result in civil or criminal penalties.

6 (h) NATIONAL CRIMINAL ARSONIST REGISTRY.—

7 (1) IN GENERAL.—The Attorney General shall
8 maintain a national database at the Bureau of Alco-
9 hol, Tobacco, Firearms and Explosives for each
10 criminal arsonist. The database shall be known as
11 the National Arsonist Registry.

12 (2) ELECTRONIC FORWARDING.—The Attorney
13 General shall ensure (through the National Arsonist
14 Registry or otherwise) that updated information
15 about a criminal arsonist is immediately transmitted
16 by electronic forwarding to all relevant jurisdictions.

17 (i) NATIONAL ARSONIST INTERNET SITE.—The At-
18 torney General shall establish and maintain a national ar-
19 sonist Internet site. The Internet site shall include rel-
20 evant information for each criminal arsonist. The Internet
21 site shall allow law enforcement officers and fire safety
22 officers to obtain relevant information for each such ar-
23 sonist by a single query for any given zip code or geo-
24 graphical radius set by the user in a form and with such
25 limitations as may be established by the Attorney General

1 and shall have such other field search capabilities as the
2 Attorney General may provide.

3 (j) NOTIFICATION PROCEDURES.—Under an arsonist
4 registration program established by a jurisdiction pursu-
5 ant to subsection (a), immediately after a criminal arson-
6 ist registers or updates a registration, an appropriate offi-
7 cial in the jurisdiction shall provide the information in the
8 registry (other than information exempted from disclosure
9 by this section or by the Attorney General) about that of-
10 fender to the following entities:

11 (1) The Attorney General, who shall include
12 that information in the National Arsonist Registry.

13 (2) Appropriate law enforcement agencies (in-
14 cluding probation agencies, if appropriate) in each
15 area in which the offender resides, is an employee,
16 or is a student.

17 (3) Each jurisdiction where the offender re-
18 sides, is an employee, or is a student, and each juris-
19 diction from or to which a change of residence, em-
20 ployment, or student status occurs.

21 Information about a criminal arsonist shall not be made
22 available on the Internet to the public.

23 (k) ACTIONS TO BE TAKEN WHEN CRIMINAL AR-
24 SONIST FAILS TO COMPLY.—Under an arsonist registra-
25 tion program established by a jurisdiction pursuant to

1 subsection (a), an appropriate official of the jurisdiction
 2 shall notify the Attorney General and appropriate law en-
 3 forcement agencies of any failure by a criminal arsonist
 4 to comply with the requirements of the arsonist registry
 5 for such jurisdiction, and shall revise the registry to reflect
 6 the nature of such failure. The appropriate official, the
 7 Attorney General, and each such law enforcement agency
 8 shall take any appropriate action to ensure compliance.

9 (l) DEVELOPMENT AND AVAILABILITY OF REGISTRY
 10 MANAGEMENT AND WEBSITE SOFTWARE.—

11 (1) DUTY TO DEVELOP AND SUPPORT.—The
 12 Attorney General shall, in consultation with the ju-
 13 risdictions, develop and support software to enable
 14 jurisdictions to establish and operate uniform arson-
 15 ist registries and Internet sites.

16 (2) CRITERIA.—The software described in para-
 17 graph (1) should facilitate—

18 (A) immediate exchange of information
 19 among jurisdictions;

20 (B) access over the Internet to appropriate
 21 information, including the number of registered
 22 criminal arsonists in each jurisdiction on a cur-
 23 rent basis;

24 (C) full compliance with the requirements
 25 of this section; and

1 (D) communication of information as re-
 2 quired under subsection (j).

3 (3) DEADLINE.—The Attorney General shall
 4 make the first complete edition of this software
 5 available to jurisdictions not later than two years
 6 after the date of the enactment of this Act.

7 (m) PERIOD FOR IMPLEMENTATION BY JURISDIC-
 8 TIONS.—

9 (1) DEADLINE.—To be in compliance with this
 10 section, a jurisdiction shall implement this section
 11 before the later of—

12 (A) three years after the date of the enact-
 13 ment of this Act; or

14 (B) one year after the date on which the
 15 software described in subsection (l) is made
 16 available to such jurisdiction.

17 (2) EXTENSIONS.—The Attorney General may
 18 authorize not more than two one-year extensions of
 19 the deadline under paragraph (1).

20 (n) ELECTION BY INDIAN TRIBES.—

21 (1) ELECTION.—

22 (A) IN GENERAL.—A federally recognized
 23 Indian tribe may, by resolution or other enact-
 24 ment of the tribal council or comparable gov-

ernmental body, elect to carry out this subtitle as a jurisdiction subject to its provisions.

(B) IMPLEMENTATION.—If a tribe does not, within one year of the enactment of this Act, make an election to take on these duties, it shall, by resolution or other enactment of the tribal council or comparable governmental body, enter into a cooperative agreement to arrange for a jurisdiction to carry out any function of the tribe under this Act until such time as the tribe elects to carry out this Act.

(2) COOPERATION BETWEEN TRIBAL AUTHORITIES AND OTHER JURISDICTIONS.—

(A) NONDUPLICATION.—A tribe subject to this subtitle is not required to duplicate functions under this subtitle which are fully carried out by another jurisdiction or jurisdictions within which the territory of the tribe is located.

(B) COOPERATIVE AGREEMENTS.—A tribe may, through cooperative agreements with such a jurisdiction or jurisdictions—

(i) arrange for the tribe to carry out any function of such a jurisdiction under this subtitle with respect to arsonists subject to the tribe’s jurisdiction; and

1 (ii) arrange for such a jurisdiction to
2 carry out any function of the tribe under
3 this subtitle with respect to arsonists sub-
4 ject to the tribe's jurisdiction.

5 (3) LAW ENFORCEMENT AUTHORITY IN INDIAN
6 COUNTRY.—Enforcement of this Act in Indian coun-
7 try, as defined in section 1151 of title 18, United
8 States Code, shall be carried out by Federal, Tribal,
9 and State governments under existing jurisdictional
10 authorities.

11 (o) IMMUNITY FOR GOOD FAITH CONDUCT.—The
12 Federal Government, jurisdictions, political subdivisions of
13 jurisdictions, and their agencies, officers, employees, and
14 agents shall be immune from liability for good faith con-
15 duct under this section.

16 (p) AUTHORIZATION OF APPROPRIATIONS.—In addi-
17 tion to any amounts otherwise authorized to be appro-
18 priated, there are authorized to be appropriated to the At-
19 torney General, to carry out subsections (h) and (i) of this
20 section, such sums as may be necessary for each of the
21 fiscal years 2009 through 2014.

22 **SEC. 3. CRIMINAL ARSONIST MANAGEMENT ASSISTANCE**
23 **PROGRAM.**

24 (a) IN GENERAL.—The Attorney General shall estab-
25 lish and implement a Criminal Arsonist Management As-

1 sistance program (in this section referred to as the “As-
2 sistance Program”), under which the Attorney General
3 shall award a grant to a jurisdiction to offset the costs
4 of implementing section 2.

5 (b) APPLICATION.—The chief executive of a jurisdic-
6 tion desiring a grant under this section shall, on an annual
7 basis, submit to the Attorney General an application in
8 such form and containing such information as the Attor-
9 ney General may require.

10 (c) BONUS PAYMENTS FOR PROMPT COMPLIANCE.—
11 A jurisdiction that, as determined by the Attorney Gen-
12 eral, has substantially implemented section 2 not later
13 than two years after the date of the enactment of this Act
14 is eligible for a bonus payment. The Attorney General may
15 make such a payment under the Assistance Program for
16 the first fiscal year beginning after that determination.
17 The amount of the bonus payment shall be as follows:

18 (1) In the case of a determination that the ju-
19 risdiction has substantially implemented such section
20 by a date that is not later than the date that is one
21 year after the date of the enactment of this Act, 10
22 percent of the total received by the jurisdiction
23 under the Assistance Program for the preceding fis-
24 cal year.

1 (2) In the case of a determination that the ju-
2 risdiction has substantially implemented such section
3 by a date that is later than one year after the date
4 of the enactment of this Act, but not later than the
5 date that is two years after such date of enactment,
6 5 percent of such total.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—In addi-
8 tion to any amounts otherwise authorized to be appro-
9 priated, there are authorized to be appropriated to the At-
10 torney General, to be available only for the Assistance Pro-
11 gram, such sums as may be necessary for each of the fiscal
12 years 2009 through 2014.

13 **SEC. 4. DEFINITIONS.**

14 For purposes of this Act:

15 (1) CRIMINAL ARSONIST.—The term “criminal
16 arsonist” means an individual who is convicted of
17 any criminal offense for committing arson in viola-
18 tion of the laws of the jurisdiction in which such of-
19 fense was committed or the United States. Such
20 term shall not include a juvenile who is convicted of
21 such an offense unless such juvenile was tried as an
22 adult for such offense.

23 (2) ARSONIST REGISTRY.—The term “arsonist
24 registry” means a registry of criminal arsonists, and
25 a notification program, maintained by a jurisdiction.

1 (3) CRIMINAL OFFENSE.—The term “criminal
2 offense” means a State, local, tribal, foreign, or mili-
3 tary offense (to the extent specified by the Secretary
4 of Defense under section 115(a)(8)(C)(i) of Public
5 Law 105–119 (10 U.S.C. 951 note)) or other crimi-
6 nal offense.

7 (4) EMPLOYEE.—The term “employee” includes
8 an individual who is self-employed or works for any
9 other entity, whether compensated or not.

10 (5) FIRE SAFETY OFFICER.—The term “fire
11 safety officer” means—

12 (A) a firefighter, as such term is defined in
13 section 1204 of the Omnibus Crime Control and
14 Safe Street Act of 1968 (42 U.S.C. 3796b); or

15 (B) an individual serving in an official ca-
16 pacity as a firefighter, fire investigator, or other
17 arson investigator, as defined by the jurisdiction
18 for the purposes of this Act.

19 (6) JURISDICTION.—The term “jurisdiction”
20 means any of the following:

21 (A) A State.

22 (B) The District of Columbia.

23 (C) The Commonwealth of Puerto Rico.

24 (D) Guam.

25 (E) American Samoa.

1 (F) The Northern Mariana Islands.

2 (G) The United States Virgin Islands.

3 (H) To the extent provided and subject to
4 the requirements of section 2(o), a federally
5 recognized Indian tribe.

6 (7) LAW ENFORCEMENT OFFICER.—The term
7 “law enforcement officer” has the meaning given
8 such term in section 1204 of the Omnibus Crime
9 Control and Safe Street Act of 1968 (42 U.S.C.
10 3796b).

11 (8) RESIDES.—The term “resides” means, with
12 respect to an individual, the location of the individ-
13 ual’s home or other place where the individual habit-
14 ually lives.

15 (9) STUDENT.—The term “student” means an
16 individual who enrolls in or attends an educational
17 institution (whether public or private), including a
18 secondary school, trade or professional school, and
19 institution of higher education.

○