

112TH CONGRESS
1ST SESSION

S. 329

To prohibit sex offenders from using property management or maintenance functions to access the residence of an individual.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2011

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit sex offenders from using property management or maintenance functions to access the residence of an individual.

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 “Safety From Sex Of-
5 fenders Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) There are approximately 7,000,000 individ-
9 uals in the United States with multiple residences
10 across State lines.

1 (2) When individuals have residences in mul-
 2 tiple States, they often resort to management com-
 3 panies and other individuals performing property
 4 management or maintenance functions to maintain
 5 the property by entering the property and per-
 6 forming necessary repairs and maintenance.

7 (3) Any residential building or unit can serve as
 8 a second residence for an out-of-State resident.

9 (4) It is necessary to create national legislation
 10 to protect the safety of individuals with multiple
 11 residences across State lines.

12 **SEC. 3. SEX OFFENDERS AND PROPERTY MANAGEMENT.**

13 (a) IN GENERAL.—Chapter 109B of title 18, United
 14 States Code, is amended by adding at the end the fol-
 15 lowing:

16 **“§ 2250A. Sex offenders and property management**

17 “(a) DEFINITIONS.—In this section—

18 “(1) the term ‘covered sex offense’ means any
 19 offense for which a sex offender is convicted that re-
 20 quires the individual to register under the Sex Of-
 21 fender Registration and Notification Act (42 U.S.C.
 22 16901 et seq.);

23 “(2) the term ‘property manager’ means a per-
 24 son who is a landlord or property manager or pro-

1 provides property maintenance services to the owner or
2 lessor of a residence; and

3 “(3) the term ‘sex offender’ means an indi-
4 vidual required to register under the Sex Offender
5 Registration and Notification Act (42 U.S.C. 16901
6 et seq.).

7 “(b) OFFENSES.—

8 “(1) PROVISION OF ACCESS.—It shall be unlaw-
9 ful for a property manager to provide to a sex of-
10 fender a key or other means of access to a residence
11 for which the property manager is providing serv-
12 ices, unless the owner or lessor of the residence—

13 “(A) is notified of any covered sex offense
14 committed by the sex offender; and

15 “(B) provides a written authorization to
16 provide the key or other means of access to the
17 sex offender.

18 “(2) SEX OFFENDERS.—It shall be unlawful for
19 a sex offender to, while acting or purporting to act
20 on behalf of a property manager, possess a key or
21 other means of access to a residence for which the
22 property manager is providing services, unless the
23 owner or lessor of the residence—

24 “(A) is notified of any covered sex offense
25 committed by the sex offender; and

1 “(B) provides a written authorization to
2 provide the key or other means of access to the
3 sex offender.

4 “(c) PENALTIES.—Any person who violates para-
5 graph (1) or (2) of subsection (b) shall be fined under
6 this title, imprisoned not more than 1 year, or both.”.

7 (b) CONFORMING AMENDMENT.—The table of sec-
8 tions for chapter 109B of title 18, United States Code,
9 is amended by adding at the end the following:

“2250A. Sex offenders and property management.”.

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