

1 S.2

2 Introduced by Senator Sears

3 Referred to Committee on Judiciary

4 Date: January 7, 2011

5 Subject: Crimes and criminal procedure; sex offender registry; sexual
6 exploitation of a minor

7 Statement of purpose: This bill proposes to clarify that both misdemeanor and
8 felony sexual exploitation of a minor offenses result in the offender being
9 placed on the department of public safety's sex offender registry, but only
10 felony violations of that statute result in the offender being placed on the
11 internet sex offender registry.

12 An act relating to sexual exploitation of a minor and the sex offender
13 registry

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 13 V.S.A. § 5401 is amended to read:

16 § 5401. DEFINITIONS

17 As used in this subchapter:

18 * * *

19 (10) "Sex offender" means:

20 * * *

1 (B) A person who is convicted of any of the following offenses
2 against a victim who is a minor, except that, for purposes of this subdivision,
3 conduct which is criminal only because of the age of the victim shall not be
4 considered an offense for purposes of the registry if the perpetrator is under the
5 age of 18 and the victim is at least 12 years old:

6 * * *

7 (ix) sexual exploitation of a minor as defined in 13 V.S.A.
8 § ~~3258(b)~~ 3258.

9 * * *

10 Sec. 2. 13 V.S.A. § 5411a is amended to read:

11 § 5411a. ELECTRONIC POSTING OF THE SEX OFFENDER REGISTRY

12 (a) Notwithstanding 20 V.S.A. §§ 2056a-2056e, the department shall
13 electronically post information on the Internet in accordance with subsection
14 (b) of this section regarding the following sex offenders, upon their release
15 from confinement:

16 (1) Sex offenders who have been convicted of:

17 * * *

18 (I) ~~Sexual~~ A felony violation of sexual exploitation of a minor
19 (13 V.S.A. § ~~3258(b)~~ 3258(c)).

20 * * *

21 Sec. 3. EFFECTIVE DATE

22 This act shall take effect on passage.