

1 S.48

2 Introduced by Senator Mullin

3 Referred to Committee on Judiciary

4 Date: February 2, 2011

5 Subject: Criminal procedure; sex offenders

6 Statement of purpose: This bill proposes to prohibit convicted sex offenders
7 from using a false name when creating a social networking website profile.

8 An act relating to prohibiting a sex offender from using a false name when
9 creating a social networking website profile

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

11 Sec. 1. 13 V.S.A. § 5411e is added to read:

12 § 5411e. SOCIAL NETWORKING WEBSITE PROFILE; USE OF FALSE
13 NAME PROHIBITED

14 (a) For purposes of this section, “social networking website” means an
15 Internet website which:

16 (1) contains profile web pages of the members of the website that
17 include the names or nicknames of the members, photographs placed on the
18 profile web pages by the members, or any other personal or personally
19 identifying information about the members;

1 (2) contains links to other profile web pages on social networking
2 websites of friends or associates of the members which can be accessed by
3 other members or visitors to the website; and

4 (3) provides members of or visitors to the website the ability to leave
5 messages or comments on the profile web page that are visible to all or some
6 visitors to the profile web page and may also include a form of electronic mail
7 for members of the social networking website.

8 (b) A person who is required to register as a sex offender pursuant to
9 subchapter 3 of this title shall not knowingly use a false name when creating a
10 social networking website profile.

11 (c) A person who violates subsection (a) of this section shall be imprisoned
12 for not more than two years or fined not more than \$1,000.00 or both.

Sec. 2. 33 V.S.A. § 4913(a) is amended to read:

(a) Any physician, surgeon, osteopath, chiropractor, or physician's assistant licensed, certified, or registered under the provisions of Title 26, any resident physician, intern, or any hospital administrator in any hospital in this state, whether or not so registered, and any registered nurse, licensed practical nurse, medical examiner, emergency medical personnel as defined in 24 V.S.A. § 2651(6), dentist, psychologist, pharmacist, any other health care provider, child care worker, school superintendent, headmaster of a Vermont-recognized or -approved independent school, school teacher, school librarian, school principal, school guidance counselor, and any other individual who is regularly employed by a school district or a Vermont-recognized or -approved independent school, or who is contracted and paid by a school district or a Vermont-recognized or -approved independent school to provide student services for five or more hours per week during the school year, mental health professional, social worker, probation officer, any employee, contractor, and grantee of the agency of human services who have contact with clients, police officer, camp owner, camp administrator, camp counselor, or member of the clergy who has reasonable cause to believe

that any child has been abused or neglected shall report or cause a report to be made in accordance with the provisions of section 4914 of this title within 24 hours. As used in this subsection, "camp" includes any residential or nonresidential recreational program.

1 Sec. ~~2~~ 3. EFFECTIVE DATE

2 This act shall take effect on July 1, 2011.

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