

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 7
3 entitled “An act relating to deferred sentences and the sex offender registry”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

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

8 § 5401. DEFINITIONS

9 As used in this subchapter:

10 * * *

11 (15)(A) “Conviction” means a judgment of guilt following a verdict or
12 finding of guilt, a plea of guilty, a plea of nolo contendere, an Alford Plea, or a
13 judgment of guilt pursuant to a deferred sentence.

14 (B) A sex offender whose sentence is deferred shall register during
15 the period when the sentence is deferred but shall have no duty to register after
16 successful completion of the terms of the deferred sentence agreement ~~for the~~
17 ~~duration specified in the agreement.~~

18 (C) A sex offender treated as a youthful offender pursuant to subchapter
19 5 of chapter 52 of Title 33 shall have no duty to register unless the offender’s
20 youthful offender status is revoked and he or she is sentenced for the offense in
21 the Criminal Division.

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

§ 5411A. ELECTRONIC POSTING OF THE SEX OFFENDER REGISTRY

* * *

(e) Information regarding a sex offender shall not be posted electronically if the conduct that is the basis for the offense is criminal only because of the age of the victim and the perpetrator is within 38 months of age of the victim.

(f) Information regarding a sex offender shall not be posted electronically prior to the offender reaching the age of 18, but such information shall be otherwise available pursuant to section 5411 of this title.

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(m) Information regarding a sex offender whose sentence is deferred shall not be posted electronically unless the offender violates the terms of the deferred sentence agreement and is sentenced on the conviction.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE