



Kansas Bureau of Investigation

Tony Mattivi
Director

Kris W. Kobach
Attorney General

Before the
House Committee on Judiciary
Neutral Testimony regarding HB 2173
Bob Stuart, Executive Officer
Kansas Bureau of Investigation
February 6, 2025

Chairwoman Humphries and Members of the Committee:

The Kansas Bureau of Investigation (KBI) thanks the Committee for the opportunity to present testimony regarding HB 2173, an Act concerning the Kansas offender registration act.

The KBI is troubled by the proposed amendment to K.S.A. 22-4908. As drafted, any offender (defined in K.S.A. 22-4902(a) (which includes sex offenders, violent offenders and general offenders) may file for relief of registration requirements after 10 years. As this will materially change Kansas law there are potential negative effects of which this Committee should be aware.

Changes in Kansas law will likely affect Sex Offender Registration and Notification Act (SORNA) compliance. SORNA refers to the Sex Offender Registration and Notification Act which is [Title I of the Adam Walsh Child Protection and Safety Act of 2006 \(Public Law 109-248\)](#). SORNA provides a comprehensive set of minimum standards for sex offender registration and notification in the United States. SORNA aims to close potential gaps and loopholes that existed under prior law and generally strengthens the nationwide network of sex offender registration and notification programs. Additionally, SORNA —

- Extends the jurisdictions in which registration is required beyond the 50 states, the District of Columbia, and the principal U.S. territories, to include also federally recognized Indian tribes.
- Incorporates a more comprehensive group of sex offenders and sex offenses for which registration is required.
- Requires registered sex offenders to register and keep their registration current in each jurisdiction in which they reside, work, or go to school.
- Requires sex offenders to provide more extensive registration information.
- Requires sex offenders to make periodic in-person appearances to verify and update their registration information.

- Expands the amount of information available to the public regarding registered sex offenders.
- Makes changes in the required minimum duration of registration for sex offenders.

Every year the KBI, in cooperation with the Office of the Governor, certifies that Kansas continues to substantially implement the provisions of SORNA, and has made no changes to its registration and notification system or state statute that would affect the status of our compliance.

If Kansas does not comply with SORNA, it can face a penalty of losing a portion of its federal justice assistance grant funds due to non-compliance with the national sex offender registry standards set by SORNA. Meaning, the state could forfeit federal funding if it does not implement the required sex offender registration procedures in the act.

Forfeited funding potentially includes some or all of any future Federal Edward Byrne Justice Assistance Grant Money (JAG) Grant Program awards. This is a significant program that funds public safety efforts across Kansas. On December 19, 2024 Governor Kelly announced that in 2025 \$1,924,842 in Byrne/JAG money will be distributed to 26 agencies across the state.¹

In order to ensure SORNA compliance, the U.S. Department of Justice Office of Sexual Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) provides a checklist² that the KBI consults during the annual certification process. For the Committee's reference, Section VIII of the attached checklist specifically deals with duration of registration, reduction of registration periods and clean record requirements which HB 2173 may materially affect.

Additionally, this year the KBI anticipates applying for funding under the Adam Walsh Act Implementation Grant Program. SMART adjudicates this grant program to fund projects that assist jurisdictions in implementing SORNA. The program works to improve sex offender registry systems to support and maintain implementation of SORNA's standards. This grant program offers up to \$600,000 over a 36 month period starting October 1, 2025. If awarded, the KBI will use this grant funding to develop and enhance registration software solutions, collection, and submission of biometric data, as well law enforcement training and support across all jurisdictions. We are concerned that the proposed change in Kansas law may negatively impact the KBI's opportunity to qualify for this grant.

We note that receiving this grant would be a significant federal addition to the current FY 2026 KBI enhancement request of \$500,000 for replacement of the Kansas Offender Registration Tool (KsORT) used by Kansas Sheriffs to track offender registrations. That enhancement request has been adopted by Governor Kelly in her budget recommendations and has also been included in the House Appropriations Committee recommendations.

¹ [Governor Kelly Announces More than \\$1.9M to Improve Public Safety | Press Releases | Kansas Office of the Governor](#)



Sex Offender

² Registration and Nc

Finally, the KBI has submitted a fiscal note indicating we would need two FTE's at an estimated cost of \$159,266 of SGF funds to properly handle the increased workload passage of HB 2173 would create. There are currently 25,409 sex, drug, and violent offenders on the registry. Of those, there are over 5500 sex offenders that were convicted of an offense that, prior to July 1, 2011, would have required 10 years of registration and would be eligible to petition for relief under HB 2173. There are approximately 1500 violent offenders that were convicted of an offense that, prior to July 1, 2011, would have required 10 years of registration and would be eligible to petition for relief with the passage of this bill.

Drug offenders already have the ability to apply for relief within 5 years, so there would not be any additional impact to those offenders.

It is unknown how many of those will apply for the relief from registration and be approved; however, it takes 75 minutes per offender to end their registration. If all 7,000 offenders applied and were approved immediately after the bill becomes law, it would take 4 Administrative Officers working full time for approximately 55 weeks to remove those offenders from the registry. As we would anticipate that requests would not occur all at once, we believe 2 additional Administrative Officers will be able to handle the increased workload. The cost per Administrative Officer is \$79,633 for salaries and benefits.

Thank you for the opportunity to provide information to the Committee as you begin to work HB 2173. The KBI is always available to provide additional or clarifying information should the Committee require.

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Press Releases

Governor Kelly Announces More than \$1.9M to Improve Public Safety

Post Date: 12/19/2024

TOPEKA – Governor Laura Kelly, on behalf of the Kansas Criminal Justice Coordinating Council (KCJCC), announced on Thursday the 2025 grant awards for the Federal Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

The JAG funds are provided to criminal justice system partners to address crime and improve public safety across Kansas. Specifically, the JAG awards made to local and state agencies fund programs designed to reduce and prevent crime, assist with equipment and technology needs and provide crime victim services.

The JAG program represents a collaborative partnership among federal, state and local governments to create safer communities and improve criminal justice systems. It provides critical funding to support a range of program areas such as law enforcement, corrections, drug treatment and enforcement, technology improvement, prevention activities, crime victim services, and mental health programs.

The KCJCC oversees the criminal justice federal funding made available to Kansas through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The KCJCC membership is representative of the Governor, Chief Justice of the Supreme Court, the Attorney General, the Secretary of Corrections, the Superintendent of the Kansas Highway Patrol, and the Director of the Kansas Bureau of Investigation.

A total of \$1,924,842 was awarded to 26 agencies.

2025 Justice Assistance Grant Awards

County	Organization Name	Grant Award
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Edson	Hiawatha Police Department	\$15,853
Coffey	Coffey County Sheriff's Office	\$71,000
Crawford	Community Health Center of Southeast Kansas	\$148,000
Ellis	Northwest Kansas Community Corrections	\$79,236
Jackson	Jackson County Sheriff's Office	\$83,840
Johnson	Gardner Police Department	\$31,093
Johnson	Johnson County Crime Lab	\$30,819
Johnson	Merriam Police Department	\$85,002
Johnson	Sunflower House	\$29,304
Kingman	Kingman County Sheriff's Office	\$167,766
Leavenworth	Brothers In Blue Reentry	\$98,628
Lyon	5th Judicial District Community Corrections	\$40,000
Marshall	Marysville Police Department	\$40,000
Meade	Meade County Sheriff's Office	\$40,000
Montgomery	Coffeyville Police Department	\$40,000
Morris	Morris County Sheriff's Office	\$83,840
Pratt	Pratt Police Department	\$10,495
Scott	Scott City Police Department	\$45,492
Shawnee	Kansas Highway Patrol	\$105,678
Shawnee	Kansas Judicial Branch	\$83,545
Shawnee	National Alliance on Mental Illness Kansas	\$95,713
Shawnee	Shawnee County Department of Corrections	\$71,000
Sumner	Wellington Police Department	\$154,966
Wyandotte	Avenue of Life	\$63,425

Wyandotte Unified Gov't. of Wyandotte Co./Kansas City, KS – Police Dept. \$68,334

Wyandotte Unified Gov't. of Wyandotte Co./Kansas City, KS – Sheriff's Off. \$141,813

TOTAL

\$1,924,842

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[Return to full list >>](#)



SEX OFFENDER REGISTRATION AND NOTIFICATION ACT SUBSTANTIAL IMPLEMENTATION CHECKLIST — REVISED (2020)

This tool was designed to assist registration jurisdictions working toward substantially implementing Title I of the Adam Walsh Child Protection and Safety Act of 2006, [the Sex Offender Registration and Notification Act](#) (SORNA).¹ It is not, however, a definitive guide to SORNA's full implementation requirements. Jurisdictions are advised to consult with the SMART Office throughout the implementation process to ensure that their laws, policies, procedures and practices conform to SORNA's requirements.

The SORNA Substantial Implementation Checklist is organized into 11 sections that include SORNA's requirements and follows the SMART Office's substantial implementation review process. Each section contains a table listing the SORNA requirement with space to answer whether the jurisdiction meets that requirement (yes/no), the relevant statute citation and/or the relevant administrative policy or procedure page number. When submitting a completed checklist, please attach all relevant statutes, codes, administrative policies and procedures, along with documentation of database/data-sharing systems and the jurisdiction's public sex offender website.

This updated checklist includes information from the 2016 Supplemental Guidelines for Juvenile Registration Under the Sex Offender Registration and Notification Act,² which allows the SMART Office to consider the following:

- Policies and practices to prosecute as adults juveniles who commit serious sex offenses.
- Policies and practices to register juveniles adjudicated delinquent for serious sex offenses.
- Policies and practices to identify, track, monitor or manage juveniles adjudicated delinquent for serious sex offenses who are in the community and to ensure that the records of their identities and sex offenses are available for public safety purposes.

Additional information on state, tribal or territorial substantial implementation can be found at [smart.gov](#). Please direct any questions regarding the SORNA Substantial Implementation Checklist to AskSMART@usdoj.gov or 202-514-4689.

¹ www.govinfo.gov/content/pkg/USCODE-2018-title34/html/USCODE-2018-title34-subtitleII-chap209.htm

² www.federalregister.gov/documents/2016/08/01/2016-18106/office-of-the-attorney-general-supplemental-guidelines-for-juvenile-registration-under-the-sex

**I. Immediate Notification and Exchange of Information**

Whenever a sex offender initially registers or updates their registration information with a jurisdiction, that jurisdiction is required to immediately notify 1) any other jurisdiction where the sex offender resides, is an employee or is a student, and 2) each jurisdiction from or to which a change of residence, employment or student status occurs. This includes notification to any relevant SORNA-registration jurisdiction, including states, tribes, territories and the District of Columbia.

The jurisdiction is also required to immediately update the National Crime Information Center, National Sex Offender Registry (NCIC/NSOR) and its own public sex offender registry website (see Section IX).

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Upon initial registration and/or update to registration information, immediately notify 1) each jurisdiction where the sex offender resides, is an employee or is a student, and 2) each jurisdiction from or to which a change of residence, employment or student status occurs. Jurisdiction's submission should address the SORNA-required issues below.			
Definitions			
"Immediate" and "immediately" defined as "within 3 business days"			
"Other jurisdictions" defined as —			
• States			
• District of Columbia			
• The five principal U.S. territories (American Samoa, Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico and U.S. Virgin Islands)			
• Any tribe operating as a SORNA registration jurisdiction			
Jurisdiction immediately notifies of, shares or submits any initial registration and/or updated information to			
• NCIC/NSOR			
• Police departments			
• Sheriff's offices			
• Prosecutor's offices			
• Probation agencies			
• Any other agencies with criminal investigation, prosecution or sex offender supervision functions			
• Any agency responsible for conducting employment-related background checks under § 3 of the National Child Protection Act of 1993 (34 U.S.C. § 40102)			
Monitor or use the SORNA Exchange Portal for interjurisdictional change of residence, employment or student status			



II. Offenses That Must Be Included in the Registry

A jurisdiction must include certain sex offenders in its registration schemes. As defined by SORNA, sex offenders are individuals convicted of sex offenses.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
An adult sex offender is convicted for SORNA purposes if he or she has been subject to penal consequences based on the conviction, however it may be styled. ³			
The following two classes of convictions are also included in SORNA's definition of convicted and must be included in the jurisdiction's registry: ⁴			
<ul style="list-style-type: none"> • Convictions of juveniles who are prosecuted as adults 			
<ul style="list-style-type: none"> • Persons adjudicated delinquent as a juvenile for a sex offense, but only if the offender is 14 years of age or older at the time of the offense and the offense adjudicated was comparable to or more severe than aggravated sexual abuse (as described in 18 U.S.C. § 2241(a) or (b)) or was an attempt or conspiracy to commit such an offense 			
Does the state use a discretionary approach to registration of juveniles? If yes, then provide information on 1) policies and practices to prosecute as adults juveniles who commit serious sex offenses, 2) policies and practices to register juveniles adjudicated delinquent for serious sex offenses, 3) policies and practices to identify, track, monitor or manage juveniles adjudicated delinquent for serious sex offenses who are in the community and 4) other related policies and practices here:			

SORNA specifies the sex offenses that, if they already exist in a jurisdiction, must be included in any jurisdiction's registration scheme, as well as those convictions from other jurisdictions (including the federal government and foreign countries) that must be included. Jurisdictions are not required to enact any new substantive sex offense crimes in order to substantially implement SORNA.

³ If there are procedures for deferred sentences/convictions for sex offenses, please include those citations here.

⁴ See the SMART Office's "Juvenile Sex Offender Registration Under SORNA" for additional information: <https://smart.ojp.gov/SORNA-juvenile-registration>.



If a jurisdiction relies on an "equivalency" statute for the inclusion of federal offenses, military offenses, international offenses or other extrajurisdictional offenses within the jurisdiction's registration scheme, please provide a reference to the relevant statute and describe the process the jurisdiction uses to compare extrajurisdictional convictions to in-state convictions.

Jurisdictions must register any sex offender convicted of any of the following offenses:

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Convictions under the following federal statutes (including any offenses prosecuted under the Assimilative Crimes Act (18 U.S.C. §§ 1152 or 1153)):			
• 18 U.S.C. § 1591 (sex trafficking of children, or by force, fraud or coercion)			
• 18 U.S.C. § 1801 (video voyeurism of a minor)			
• 18 U.S.C. § 2241 (aggravated sexual abuse)			
• 18 U.S.C. § 2242 (sexual abuse)			
• 18 U.S.C. § 2243 (sexual abuse of a minor or ward)			
• 18 U.S.C. § 2244 (abusive sexual contact)			
• 18 U.S.C. § 2245 (offenses resulting in death)			
• 18 U.S.C. § 2251 (sexual exploitation of children)			
• 18 U.S.C. § 2251A (selling or buying of children)			
• 18 U.S.C. § 2252 (receipt or possession of child pornography or production or distribution of child pornography)			
• 18 U.S.C. § 2252A (receipt or possession of child pornography or production or distribution of child pornography)			
• 18 U.S.C. § 2252B (misleading domain names on the internet)			
• 18 U.S.C. § 2252C (misleading words or digital images on the internet)			
• 18 U.S.C. § 2260 (producing child pornography for import)			
• 18 U.S.C. § 2421 (transportation of a minor for illegal sexual activity)			
• 18 U.S.C. § 2422 (coercion and enticement to engage in prostitution)			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
<ul style="list-style-type: none"> 18 U.S.C. § 2423 (transportation of minors for illegal sexual activity, travel with the intent to engage in illicit sexual conduct with a minor, engaging in illicit sexual conduct in foreign places) 			
<ul style="list-style-type: none"> 18 U.S.C. § 2424 (failure to file factual statement about an alien individual) 			
<ul style="list-style-type: none"> 18 U.S.C. § 2425 (use of interstate facilities to transmit information about a minor) 			
Jurisdictions must also register certain sex offenders convicted of foreign sex offenses when they are convicted either:			
<ul style="list-style-type: none"> In Canada, United Kingdom, Australia and New Zealand 			
<ul style="list-style-type: none"> In any foreign country where the U.S. State Department, in its Country Reports on Human Rights Practices, has concluded that an independent judiciary generally (or vigorously) enforced the right to a fair trial in that country during the year in which the conviction occurred⁵ 			
Jurisdictions must register anyone convicted of a military offense specified by the Secretary of Defense under § 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. § 951 note). Jurisdictions are encouraged to review Department of Defense Instruction 1325.07 and the current 10 U.S.C. § 920 et. seq. to determine which Uniform Code of Military Justice convictions will be appropriate for inclusion. ⁶			
Jurisdictions must register anyone convicted of any attempt or conspiracy to commit a sex offense.			

⁵ These annual reports can be found at www.state.gov/g/drl/rls/hrrpt/.

⁶ The current version of DoD Instruction 1325.07 can be found at www.esd.whs.mil/Directives/issuances/dodi/ or at www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/132507p.pdf?ver=2020-08-20-082115-117.



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Jurisdictions are required to register any person who has been convicted of a criminal offense in any state, tribe, territory or the District of Columbia and any foreign country (subject to the limitations described above) that involves:			
• Any conduct that by its nature is a sex offense against a minor			
• Any type or degree of genital, oral or anal penetration			
• Any sexual touching of or contact with a person's body, either directly or through the clothing			
• Criminal sexual conduct involving a minor (where the elements of the offense involve physical contact with the victim) or the use of the internet to facilitate or attempt such conduct			
• Offenses whose elements involve using other persons in prostitution — such as provisions defining crimes of "pandering," "procuring" or "pimping" — in cases where the victim was below 18 at the time of the offense			
• False imprisonment of a minor			
• Kidnapping of a minor			
• Possession, production or distribution of child pornography			
• Solicitation of a minor to practice prostitution			
• Solicitation to engage a minor in sexual conduct (this should be understood broadly to include any direction, request, enticement, persuasion or encouragement of a minor to engage in sexual conduct)			
• Use of a minor in a sexual performance			
Jurisdictions are required to register any person who has been convicted of conduct similar to that prohibited by the following federal offenses:			
• 18 U.S.C. § 1591 (sex trafficking of children, or by force, fraud or coercion)			
• 18 U.S.C. § 1801 (video voyeurism of a minor)			
• 18 U.S.C. § 2241 (aggravated sexual abuse)			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
• 18 U.S.C. § 2242 (sexual abuse)			
• 18 U.S.C. § 2244 (abusive sexual contact)			
• 18 U.S.C. § 2422(b) (coercion and enticement of a minor to engage in prostitution)			
• 18 U.S.C. § 2423(a) (transportation of a minor with intent to engage in criminal sexual activity)			

III. Required Registration Information

SORNA requires jurisdictions to collect certain types of sex offender registration information. The requirements in this section are specific to the collection of information for registration and law enforcement purposes. These requirements are different from the more limited list of required information that must be posted on the public sex offender website (covered in section IX, Public Registry Website and Community Notification Requirements).

All information must be available in digitized format that can immediately be accessed by or transmitted to various entities. The jurisdiction's registry must be an electronic database, and descriptions of the required types of information refers to digitized information rather than hard copies or physical objects. However, when items and/or data are stored in separate databases (such as DNA profiles in the Combined DNA Index System (CODIS), fingerprints in the FBI's Next Generation Identification (NGI) system or professional licensing information with a separate board or committee), it is sufficient if a jurisdiction provides an identification number or some other indicator of precisely where such registration information can be found, and in which database.

SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
Criminal history information				
• Date of all arrests	<input type="checkbox"/>			
• Date of all convictions	<input type="checkbox"/>			
• Status of parole, probation or supervised release	<input type="checkbox"/>			
• Registration status	<input type="checkbox"/>			
• Outstanding arrest warrants	<input type="checkbox"/>			
Date of birth				
• Actual date of birth	<input type="checkbox"/>			
• Purported date of birth	<input type="checkbox"/>			



SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
DNA⁷				
<ul style="list-style-type: none"> A DNA sample must be taken, or must have been taken, from the sex offender for purposes of analysis and submitted for entry into CODIS 	<input type="checkbox"/>			
Driver's license or ID card				
<ul style="list-style-type: none"> A photocopy of a valid driver's license or identification card (including a tribal identification card) issued to the sex offender by a jurisdiction 	<input type="checkbox"/>			
Employment information				
<ul style="list-style-type: none"> Employer name (business name) 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Employer address 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Transient/day labor employment information 	<input type="checkbox"/>			
Fingerprints				
<ul style="list-style-type: none"> Taken and submitted to the FBI's NGI system 	<input type="checkbox"/>			
Internet identifiers				
<ul style="list-style-type: none"> Email addresses 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Instant message addresses/identifiers 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Any other designations or monikers used for self-identification in internet communications or postings 	<input type="checkbox"/>			
<ul style="list-style-type: none"> All designations used by sex offender for purposes of routing or self-identification in internet communications or postings 	<input type="checkbox"/>			
Name				
<ul style="list-style-type: none"> Primary, given name 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Nicknames, aliases, pseudonyms, regardless of context in which it is used 	<input type="checkbox"/>			
<ul style="list-style-type: none"> Ethnic or tribal names by which the offender is commonly known 	<input type="checkbox"/>			

⁷ If DNA is taken by an agency that is not the registering agency, please note the agency that takes the DNA and the process used to confirm that a DNA sample is already on file.

U.S. Department of Justice

Office of Justice Programs

Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART)



SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
Palm prints				
• Palm prints taken and submitted to the FBI's NGI system	<input type="checkbox"/>			
Passports and immigration documents				
• Copies of passports	<input type="checkbox"/>			
• Copies of immigration documents	<input type="checkbox"/>			
Phone numbers				
• Phone numbers and any other designations used by sex offender for purposes of routing or self-identification in phone communications	<input type="checkbox"/>			
• Land line phone numbers	<input type="checkbox"/>			
• Cellphone numbers	<input type="checkbox"/>			
Photograph collected unless appearance has not changed significantly, on the following schedule				
• Tier I offender: once every year	<input type="checkbox"/>			
• Tier II offender: once every 6 months	<input type="checkbox"/>			
• Tier III offender: once every 3 months	<input type="checkbox"/>			
Physical description				
• Physical description of the sex offender	<input type="checkbox"/>			
• Any identifying marks, such as scars, tattoos, etc.	<input type="checkbox"/>			
Professional licensing information				
• All licensing information, including licensing number, licensing agency and any other identifying information about a professional license issued to the sex offender that authorizes the sex offender to engage in an occupation or carry out a trade or business	<input type="checkbox"/>			
Registration forms				
• Forms signed by the sex offender acknowledging that the offender was advised of his or her registration obligations	<input type="checkbox"/>			



SORNA Requirement	Digitized	Y/N	Statute Citation or Regulation Page #	Notes
Resident address, including				
• Address of each residence where the sex offender resides or will reside	<input type="checkbox"/>			
• If no permanent residence, location or description that identifies where the sex offender "habitually lives"	<input type="checkbox"/>			
School name and address	<input type="checkbox"/>			
Social Security number				
• Valid Social Security number	<input type="checkbox"/>			
• Purported Social Security number(s)	<input type="checkbox"/>			
Temporary lodging information				
• Name and address of temporary location(s)	<input type="checkbox"/>			
• Dates of temporary stay	<input type="checkbox"/>			
Text of registration offense				
• The text of the provision of law defining the offense for which the sex offender is registered	<input type="checkbox"/>			
Vehicle information of all vehicles owned or operated by offender (whether for work or personal use)				
• License plate number	<input type="checkbox"/>			
• Aircraft	<input type="checkbox"/>			
• Land vehicles	<input type="checkbox"/>			
• Watercraft	<input type="checkbox"/>			
• Registration number or identifier of all vehicles identified above	<input type="checkbox"/>			
• Description of all vehicles identified above	<input type="checkbox"/>			
• Permanent or frequent location where all vehicles identified above are kept	<input type="checkbox"/>			

IV. Where Registration Is Required

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
All sex offenders convicted in the jurisdiction are required to initially register.			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
All sex offenders who complete their sentence of incarceration in the jurisdiction are required to initially register. ⁸			
All sex offenders who reside in the jurisdiction are required to register.			
All sex offenders who are employees in the jurisdiction are required to register. "Employee" includes an individual who is self-employed or works for any other entity, whether compensated or not.			
All sex offenders who are students in the jurisdiction are required to register. "Student" is an individual who enrolls in or attends an educational institution (public or private), including secondary schools, trade or professional schools, and institutions of higher education.			
Additional notes (if necessary):			

V. Initial Registration: Generally

A sex offender is required to register at particular times, depending on whether they are incarcerated within the jurisdiction, sentenced within the jurisdiction or arriving from another jurisdiction.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
When a sex offender is incarcerated in the jurisdiction , registration must occur before release from "imprisonment" for the registration offense. Imprisonment refers to incarceration pursuant to a conviction, regardless of the nature of the institution in which the offender serves the sentence.			

⁸ Please also describe in the "additional notes" area any other actions that the releasing authority takes, such as notifying offenders of their duty to register, notifying local registries of offenders' plans to relocate, updating NSOR, etc.



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
When a sex offender is sentenced, but not incarcerated, in the jurisdiction, registration must occur within 3 business days of sentencing for the registration offense.			
When an offender is convicted and/or sentenced in another state, territory, tribe, or country, or in a federal or military court, and chooses to reside, work, or attend school in a jurisdiction, registration must occur within 3 business days of the sex offender establishing residence, employment, or school attendance within the jurisdiction.			
Duties of a jurisdiction when an offender initially registers			
• Inform the sex offender of his or her duties under SORNA			
• Explain the SORNA duties to sex offender			
• Require the sex offender to read and sign a form stating that the duty to register has been explained and that the sex offender understands the registration requirement			
• Ensure that the sex offender is registered			

VI. Initial Registration: Retroactive Classes of Offenders

SORNA applies to all sex offenders regardless of the date of conviction. Jurisdictions are required to apply sex offender registration laws to (i.e., appropriately classify and register) certain offenders, including those who previously may have not been required to register, but who would be required to register under the jurisdiction's current sex offender registration and notification laws, including any updates or amendments.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Procedures must be in place to register three categories of sex offenders, including those —			
• Currently incarcerated or under supervision, either for the predicate sex offense or for some other crime			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
<ul style="list-style-type: none"> Already registered or subject to a pre-existing sex offender registration requirement under the jurisdiction's law 			
<ul style="list-style-type: none"> Who reenter the jurisdiction's criminal justice system because of a conviction for some other felony crime (whether or not it is a sex offense) 			
If the jurisdiction has taken additional steps to ensure registration of all sex offenders requiring registration or has changed its approach to ensuring that all sex offenders requiring registration have been registered, explain here:			

VII. Keeping the Registration Current

SORNA specifies a sex offender's duties to keep their registration information current, depending on if the jurisdiction is the offender's —

- Residence jurisdiction (where the offender lives),
- Employment jurisdiction (where the offender works), or
- School jurisdiction (where the offender goes to school).

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Residence jurisdiction — immediately appear in-person to update any of the following information			
• Name			
• Residence			
• Employment			
• School attendance			
• Termination of residence			
Immediately update any changes to the following information (an in-person appearance is not required)			
• Email addresses			
• Instant message addresses			
• Any other designations used in internet communications, postings or phone communications			
• Vehicle information			
• Temporary lodging information			
<ul style="list-style-type: none"> ○ Upon receipt of this information, the jurisdiction must immediately notify the jurisdiction where the offender will be staying 			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Duties of the residence jurisdiction when an offender intends to relocate to another country			
• Immediately notify any other jurisdiction where the sex offender is either registered, or is required to register, of that updated information			
• Immediately notify the U.S. Marshals Service			
• Immediately update NCIC/NSOR Information			
Employment jurisdiction — when an offender works in a jurisdiction, but neither lives nor goes to school there, that offender must immediately appear in-person to update any of the following information:			
• Employment-related information in that jurisdiction			
• Termination of employment in that jurisdiction			
School jurisdiction — when an offender goes to school in a jurisdiction, but neither lives nor works there, that offender must immediately appear in-person to update any of the following information:			
• School-related information in that jurisdiction			

International Travel

Sex offenders who intend to travel outside of the United States must inform their residence jurisdiction 21 days in advance; jurisdictions that receive this information must notify the U.S. Marshals Service and update the sex offender's registration information in NCIC/NSOR of such travel.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Duties of the residence jurisdiction regarding international travel of sex offenders			
• Jurisdiction requires sex offenders report international travel 21 days before departure			
• Immediately notify any other jurisdiction where the sex offender is either registered, or is required to register, of that updated information			
• Immediately notify the U.S. Marshals Service			
• Immediately update NCIC/NSOR Information			



VIII. Offense Tiering and Verification/Appearance Requirements

Once a jurisdiction determines which sex offenses will require registration, it must decide at what “level” of registration those convicted of each particular offense must register. SORNA establishes a baseline or minimum standard by way of a three-tier classification system.

For sex offense tiering purposes —

- “Minor” is defined as an individual under 18.
- “Sexual contact” means offenses that cover sexual touching of or contact with the intimate parts of the body, either directly or through the clothing.
- “Sexual act” means offenses involving —
 - Any direct touching of the genitals of a person under 16; or
 - Oral, anal or vaginal penetration of any kind that occurs —
 - When the victim is under 13,
 - By force,
 - By way of threat or intimidation,
 - When the victim has been rendered unconscious,
 - When the victim is incapable of appraising the nature of the conduct,
 - When the victim is physically incapable of communicating non-consent, or
 - When a drug or intoxicant has been administered that substantially impairs the ability of the other person to appraise or control their conduct.

A. Offense Tiering

The following table outlines the tiers for offenses according to SORNA.

SORNA Requirement	Y/N	Statute Citation	Notes
Tier I offenses			
Convictions that have an element involving a sexual act or sexual contact with another, that are not included in either tier II or tier III, including —			
• False imprisonment of a minor			
• Video voyeurism of a minor			
• Possession or receipt of child pornography			
The following federal offenses			
• 18 U.S.C. § 1801 (video voyeurism of a minor)			
• 18 U.S.C. § 2252 (receipt or possession of child pornography)			
• 18 U.S.C. § 2252A (receipt or possession of child pornography)			
• 18 U.S.C. § 2252B (misleading domain names on the internet)			
• 18 U.S.C. § 2252C (misleading words or digital images on the internet)			

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SORNA Requirement	Y/N	Statute Citation	Notes
• 18 U.S.C. § 2422(a) (coercion and enticement to engage in prostitution)			
• 18 U.S.C. § 2423(b) (travel with the intent to engage in illicit sexual conduct)			
• 18 U.S.C. § 2423(c) (engaging in illicit sexual conduct in foreign places)			
• 18 U.S.C. § 2423(d) (arranging, inducing, procuring or facilitating the travel in interstate commerce of an adult for the purpose of engaging in illicit conduct for financial gain)			
• 18 U.S.C. § 2424 (failure to file factual statement about alien individual)			
• 18 U.S.C. § 2425 (use of interstate facilities to transmit information about a minor)			
Any comparable military offense specified by the Secretary of Defense under § 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. § 951 note)			
Tier II offenses			
Convictions that involve —			
• A person previously convicted of a tier I offense whose current sex offense conviction is punishable by more than one year imprisonment			
• Using a minor in prostitution (to include solicitation)			
• Enticing a minor to engage in criminal sexual activity			
• A nonforcible sexual act with a minor 16 or 17			
• Sexual contact with a minor 13 or older			
• Using a minor in a sexual performance			
• Producing or distributing child pornography			
The following federal offenses			
• 18 U.S.C. § 1591 (sex trafficking of children)			

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SORNA Requirement	Y/N	Statute Citation	Notes
• 18 U.S.C. § 2244 (abusive sexual contact, where the victim 13 or older)			
• 18 U.S.C. § 2251 (sexual exploitation of children)			
• 18 U.S.C. § 2251A (selling or buying of children)			
• 18 U.S.C. § 2252 (sale or distribution of child pornography)			
• 18 U.S.C. § 2252A (sale or distribution of child pornography)			
• 18 U.S.C. § 2260 (producing child pornography for import)			
• 18 U.S.C. § 2421 (transportation of a minor for illegal sexual activity)			
• 18 U.S.C. § 2422(b) (coercion and enticement a minor to engage in prostitution)			
• 18 U.S.C. § 2423(a) (transportation a minor with intent to engage in criminal sexual activity)			
• 18 U.S.C. § 2423(d) (arranging, inducing, procuring or facilitating the travel in interstate commerce of a minor for the purpose of engaging in illicit conduct for financial gain)			
Any comparable military offense specified by the Secretary of Defense under § 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. § 951 note)			
Tier III offenses			
Convictions that involve —			
• A person previously convicted of a tier II offense whose current sex offense conviction is punishable by more than one year imprisonment			
• Nonparental kidnapping of a minor			
• Any forcible sexual act with another			
• Sexual contact with a minor under 13			
The following federal offenses			
• 18 U.S.C. § 2241 (aggravated sexual abuse)			
• 18 U.S.C. § 2242 (sexual abuse)			



SORNA Requirement	Y/N	Statute Citation	Notes
• 18 U.S.C. § 2243 (sexual abuse of a minor or ward)			
• 18 U.S.C. § 2244 (abusive sexual contact, where the victim is 12 or younger)			
Any comparable military offense specified by the Secretary of Defense under § 115(a)(8)(C)(i) of Public Law 105-119 (10 U.S.C. § 951 note)			

Jurisdiction Offense Tiering

Please list the jurisdiction's offenses, along with statutory citations and any notes necessary for interpretation. Tribal jurisdictions are only required to tier tribal offenses if the tribe has implemented enhanced sentencing protocols. Be sure to indicate how the jurisdiction tiers offenders from other states, territories or tribes.⁹

If SORNA's three-tier system is not used, please describe the jurisdiction's approach, including a list of all registerable offenses, the sex offender registration duration and frequency of verification for each, and explain how individual registration duration and verification requirements are determined.

State Tier	Statute Citation	Notes
Tier I Offenses		

Tier II Offenses		

⁹ Please note that a sex offender convicted of a registerable offense in a tribal jurisdiction implementing enhanced sentencing protocols may need to be assigned to tier II or III depending on the severity of their conviction.



State Tier	Statute Citation	Notes
Tier III Offenses		

B. Duration of Registration

SORNA requires that offenders register for a duration of time based on the tier of the offense of conviction.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Tier I offenders must register for 15 years			
Tier II offenders must register for 25 years			
Tier III offenders must register for life			

C. Frequency of Registration

SORNA requires offenders make in-person appearances at the registering agency based on the tier of the offense of conviction.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Tier I offenders must register once a year			
Tier II offenders must register every 6 months			
Tier III offenders must register every 3 months			

D. Reduction of Registration Periods

SORNA permits two classes of sex offenders to petition for reduced registration periods, provided certain clean record requirements are met:

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Tier I offender — registration and notification requirement may be terminated after 10 years if —			
• The sex offender has had a “clean record” for 10 years.			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Tier III offender — registration and notification requirement may be terminated after 25 years if —			
• The sex offender is required to register based on a juvenile delinquency adjudication for an offense that required tier III registration, and			
• The sex offender has had a “clean record” for 25 years.			
If the jurisdiction’s registration reduction requirements differ from the classes described above, explain here:			

E. Clean Record Requirements

Under SORNA, a registered sex offender has a clean record if they have satisfied certain requirements.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Tier I offender — an offender’s registration and notification requirement may be terminated after 10 years if the following “clean record requirements” are met:			
• Not being convicted of any offense for which imprisonment for more than 1 year may be imposed			
• Not being convicted of any sex offense			
• Successful completion (without revocation) of any periods of supervised release, probation and parole			
• Successful completion of an appropriate sex offender treatment program certified by a jurisdiction or by the Attorney General (34 U.S.C. § 20915(b)(1))			
Tier III offender — an offender required to register based on a juvenile delinquency adjudication for an offense which required tier III registration and notification may be terminated after 25 years if the following “clean record requirements” are met:			
• Not being convicted of any offense for which imprisonment for more than 1 year may be imposed			
• Not being convicted of any sex offense			
• Successful completion (without revocation) of any of supervised release, probation and parole			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
<ul style="list-style-type: none"> Successful completion of an appropriate sex offender treatment program certified by a jurisdiction or by the Attorney General (34 U.S.C. § 20915(b)(1)) 			
If the jurisdiction's clean record requirements differ from the classes described above, explain here:			

IX. Public Registry Website and Community Notification Requirements

Every jurisdiction is required to maintain a public sex offender registry website, which must contain the information detailed below on each sex offender in the registry. Information about a tier I sex offender convicted of an offense other than a "specified offense against a minor" as defined in 34 U.S.C. § 20911(7) may be excluded from a jurisdiction's public sex offender registry website.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Public registry website			
Full participation in the National Sex Offender Public Website (NSOPW.gov), including enabling all search field capabilities required by NSOPW and sharing geocoded addresses of registered offenders			
Publication of initial and updated sex offender registration information on the jurisdiction's public registry website within 3 business days of registering agency collecting it			
Links to sex offender safety and education resources			
Instructions on how to seek correction of information that an individual contends is erroneous			
A warning that information on the site should not be used to unlawfully injure, harass or commit a crime against any individual named in the registry or residing or working at any reported address and that such action could result in civil or criminal penalties			



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Website search field capability			
• Name			
• County and city/town			
• ZIP code			
• Geographic radius			
Items that must be displayed on public registry website:			
• Absconder: when the offender is in violation or cannot be located, the website must note this fact			
• Criminal history: any other sex offense for which the sex offender has been convicted			
• Current offense: the sex offense for which the offender is registered			
• Employer address			
• Name, including all aliases			
• Photograph (current)			
• Physical description			
• Resident address, including any information about where the offender "habitually lives"			
• School address			
Vehicle(s) information			
• License plate number(s)			
• Vehicle description(s)			
Information that is NOT permitted to be displayed on public registry website			
• Victim identity			
• Criminal history: any arrests not resulting in conviction			
• Social Security number			
• Travel and immigration document numbers			
• Internet identifiers			

In addition to the maintenance of a sex offender registry and a public sex offender registry website, SORNA requires community notification. When a sex offender initially registers in a jurisdiction, or updates registration information, the jurisdiction must notify the community. The following sets out general community notification standards that meet SORNA's requirements.



SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Community notification			
An email notification (including a sex offender's identity) is made available to the general public whenever a sex offender commences —			
• Residence in the jurisdiction			
• Employment in the jurisdiction			
• School attendance in the jurisdiction			
• Residence, employment or school attendance within a certain ZIP code or geographic radius			
An automated notification system ¹⁰ that publishes initial registrations and updates on the jurisdiction's public registry website within 3 business days			
If the jurisdiction's community notification practices differ from above, explain here:			

Special Issue: Witness Protection

Jurisdictions are permitted and encouraged to make provisions in laws and procedures to accommodate requests of the U.S. Marshals Service and other agencies responsible for witness protection in order to secure sex offender original identities.

X. Enforcement of Registration Requirements

SORNA requires that jurisdictions take measures to enforce registration requirements, including penalties for registration violations, and engage in practical procedures for investigating and dealing with such violations.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Each jurisdiction, other than a federally recognized Indian tribe, shall provide a criminal penalty that includes a maximum term of imprisonment that is greater than 1 year for the failure of a sex offender to comply with the jurisdiction's registration requirements.			

¹⁰ Jurisdictions are not required to adopt an automated notification system in order to implement this general community notification portion of SORNA. If a jurisdiction chooses not to do so, however, it will still be held to SORNA's baseline requirements. Please contact the SMART Office for assistance in determining which alternate procedures would substantially implement this portion of SORNA.



When a jurisdiction is notified that a sex offender intends to reside, be employed or attend school in the jurisdiction ("new jurisdiction") by another jurisdiction ("notifying jurisdiction"), and that offender fails to appear for registration as required, the new jurisdiction must take the following actions.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Inform the notifying jurisdiction that the offender who was to commence residence, employment or school in the new jurisdiction failed to appear for registration			

When a jurisdiction has information that a sex offender may have absconded, certain actions must be taken, as noted below.

SORNA Requirement	Y/N	Statute Citation or Regulation Page #	Notes
Make an effort to determine whether the sex offender has actually absconded.			
If no determination can be made, notify a law enforcement agency with jurisdiction to investigate the matter			
If the information indicating the possible absconding came through notice from another jurisdiction or federal authorities, inform the authorities that provided the notification that the sex offender has failed to appear and register			
If an absconded sex offender cannot be located, the jurisdiction must take the following steps:			
• Revise the registry information to reflect that the sex offender is an absconder or cannot be located			
• Seek a warrant for the sex offender's arrest, if the legal requirements for doing so are satisfied			
• Notify the U.S. Marshals Service, the lead federal agency for investigating sex offender registration violations			
• Update NCIC/NSOR to reflect the sex offender's status as an absconder or unlocatable			
• Enter the sex offender into the NCIC Wanted Person File (assuming a warrant meeting the requirement for entry into that file has been issued)			

**XI. Tribal Considerations (applicable for state jurisdictions only)**

States and tribes complement each other's sex offender registration efforts in a number of ways, including assisting with SORNA requirements, sharing information beyond SORNA's requirements and cross-deputation agreements. These agreements vary from state to state and often from tribe to tribe within a single state.

Please use the following section to describe the state's working relationship with the tribes contained within it (relating to sex offender registration).

Consideration	Y/N	Notes
Are there any federally recognized tribes in the state?		
Who is the state's primary point of contact working with tribes on sex offender registration issues? Please include name, job title and contact information.		
Does the state have any memoranda of understanding with the federally recognized tribes that have elected to implement SORNA's requirements? If yes, please list the tribe(s) and attach a copy of the MOU(s).		
Does the state have tribes that have opted out of SORNA implementation or have had SORNA duties delegated to the state? If yes, please list.		
Please describe other significant issues related to the state's relationship with tribes regarding sex offender registration (i.e., P.L. 280).		