

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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**SENATE BILL 869\***  
**Judiciary I (Civil) Committee Substitute Adopted 5/8/07**  
**Finance Committee Committee Substitute Adopted 7/12/07**

Short Title: Sex Offender/Register E-Mail Address.-AB

(Public)

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Sponsors:

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Referred to:

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March 19, 2007

A BILL TO BE ENTITLED

1 AN ACT TO ADD FELONY CHILD ABUSE TO THE LIST OF SEX OFFENDER  
2 REGISTRY OFFENSES WHEN THE OFFENSE INVOLVES PROSTITUTION  
3 OF A JUVENILE OR THE COMMISSION OF A SEXUAL ACT UPON A  
4 JUVENILE, TO REQUIRE THAT A SEX OFFENDER REGISTER HIS OR HER  
5 ELECTRONIC MAIL ADDRESS OR OTHER ONLINE IDENTIFIER IN THE  
6 STATEWIDE SEX OFFENDER REGISTRY, TO ALLOW LIMITED RELEASE  
7 OF ONLINE IDENTIFIER INFORMATION IN THE SEX OFFENDER  
8 REGISTRY TO CERTAIN ENTITIES THAT PROVIDE ELECTRONIC MAIL  
9 SERVICES AND OTHER INTERNET SERVICES FOR THE PURPOSE OF  
10 SCREENING ONLINE USERS, TO AUTHORIZE THE COURT TO REVOKE  
11 ANY AND ALL LICENSING PRIVILEGES HELD BY A SEX OFFENDER WHO  
12 FAILS TO REGISTER, TO DIRECT THE ADMINISTRATIVE OFFICE OF THE  
13 COURTS TO DEVELOP PROCEDURES TO ENSURE TIMELY  
14 NOTIFICATION OF THE DIVISION OF CRIMINAL INFORMATION AND  
15 SHERIFFS OF PERSONS REQUIRED TO REGISTER WHO ARE NOT  
16 SENTENCED TO ACTIVE TIME, AND TO AUTHORIZE FUNDS FOR THE  
17 GOVERNOR'S CRIME COMMISSION TO USE TO AWARD AS MATCHING  
18 GRANTS TO ELIGIBLE SHERIFFS' OFFICES TO ENHANCE AND SUPPORT  
19 THEIR EFFORTS TO ENFORCE THE STATE'S SEX OFFENDER LAWS.  
20

21 The General Assembly of North Carolina enacts:

22 **SECTION 1.** G.S. 14-208.6 reads as rewritten:

23 **"§ 14-208.6. Definitions.**

24 The following definitions apply in this Article:

- 25 (1a) "Aggravated offense" means any criminal offense that includes either  
26 of the following: (i) engaging in a sexual act involving vaginal, anal,  
27 or oral penetration with a victim of any age through the use of force or  
28 the threat of serious violence; or (ii) engaging in a sexual act involving

- 1 vaginal, anal, or oral penetration with a victim who is less than 12  
2 years old.
- 3 (1b) "County registry" means the information compiled by the sheriff of a  
4 county in compliance with this Article.
- 5 (1c) "Division" means the Division of Criminal Information of the  
6 Department of Justice.
- 7 (1d) "Electronic mail" means the transmission of information or  
8 communication by the use of the Internet, a computer, a facsimile  
9 machine, a pager, a cellular telephone, a video recorder, or other  
10 electronic means sent to a person identified by a unique address or  
11 address number and received by that person.
- 12 ~~(1d)~~(1e) "Employed" includes employment that is full-time or part-time for a  
13 period of time exceeding 14 days or for an aggregate period of time  
14 exceeding 30 days during any calendar year, whether financially  
15 compensated, volunteered, or for the purpose of government or  
16 educational benefit.
- 17 (1f) "Entity" means a business or organization that provides Internet  
18 service, electronic communications service, remote computing service,  
19 online service, electronic mail service or electronic instant message or  
20 chat services whether the business or organization is within or outside  
21 the State.
- 22 (1g) "Instant Message" means a form of real-time text communication  
23 between two or more people. The communication is conveyed via  
24 computers connected over a network such as the Internet.
- 25 ~~(1e)~~(1h) "Institution of higher education" means any postsecondary public or  
26 private educational institution, including any trade or professional  
27 institution, college, or university.
- 28 (1i) "Internet" means the global information system that is logically linked  
29 together by a globally unique address space based on the Internet  
30 Protocol or its subsequent extensions; that is able to support  
31 communications using the Transmission Control Protocol/Internet  
32 Protocol suite, its subsequent extensions, or other Internet Protocol  
33 compatible protocols; and that provides, uses, or makes accessible,  
34 either publicly or privately, high-level services layered on the  
35 communications and related infrastructure described in this  
36 subdivision.
- 37 ~~(1f)~~(1j) "Mental abnormality" means a congenital or acquired condition of a  
38 person that affects the emotional or volitional capacity of the person in  
39 a manner that predisposes that person to the commission of criminal  
40 sexual acts to a degree that makes the person a menace to the health  
41 and safety of others.
- 42 ~~(1g)~~(1k) "Nonresident student" means a person who is not a resident of North  
43 Carolina but who is enrolled in any type of school in the State on a  
44 part-time or full-time basis.

1           ~~(4h)~~(11) "Nonresident worker" means a person who is not a resident of North  
2           Carolina but who has employment or carries on a vocation in the State,  
3           on a part-time or full-time basis, with or without compensation or  
4           government or educational benefit, for more than 14 days, or for an  
5           aggregate period exceeding 30 days in a calendar year.

6           ~~(4i)~~(1m) "Offense against a minor" means any of the following offenses if the  
7           offense is committed against a minor, and the person committing the  
8           offense is not the minor's parent: G.S. 14-39 (kidnapping), G.S. 14-41  
9           (abduction of children), and G.S. 14-43.3 (felonious restraint). The  
10          term also includes the following if the person convicted of the  
11          following is not the minor's parent: a solicitation or conspiracy to  
12          commit any of these offenses; aiding and abetting any of these  
13          offenses.

14          (1n) "Online identifier" means electronic mail address, instant message  
15          screen name, user ID, chat or other Internet communication name, but  
16          it does not mean social security number, date of birth, or pin number.

17          (2) "Penal institution" means:

- 18           a. A detention facility operated under the jurisdiction of the  
19           Division of Prisons of the Department of Correction;  
20           b. A detention facility operated under the jurisdiction of another  
21           state or the federal government; or  
22           c. A detention facility operated by a local government in this State  
23           or another state.

24          (2a) "Personality disorder" means an enduring pattern of inner experience  
25          and behavior that deviates markedly from the expectations of the  
26          individual's culture, is pervasive and inflexible, has an onset in  
27          adolescence or early adulthood, is stable over time, and leads to  
28          distress or impairment.

29          (2b) "Recidivist" means a person who has a prior conviction for an offense  
30          that is described in G.S. 14-208.6(4).

31          (3) "Release" means discharged or paroled.

32          (4) "Reportable conviction" means:

- 33           a. A final conviction for an offense against a minor, a sexually  
34           violent offense, or an attempt to commit any of those offenses  
35           unless the conviction is for aiding and abetting. A final  
36           conviction for aiding and abetting is a reportable conviction  
37           only if the court sentencing the individual finds that the  
38           registration of that individual under this Article furthers the  
39           purposes of this Article as stated in G.S. 14-208.5.

- 40           b. A final conviction in another state of an offense, which if  
41           committed in this State, is substantially similar to an offense  
42           against a minor or a sexually violent offense as defined by this  
43           section, or a final conviction in another state of an offense that

- 1 requires registration under the sex offender registration statutes  
2 of that state.
- 3 c. A final conviction in a federal jurisdiction (including a court  
4 martial) of an offense, which is substantially similar to an  
5 offense against a minor or a sexually violent offense as defined  
6 by this section.
- 7 d. A final conviction for a violation of G.S. 14-202(d), (e), (f), (g),  
8 or (h), or a second or subsequent conviction for a violation of  
9 G.S. 14-202(a), (a1), or (c), only if the court sentencing the  
10 individual issues an order pursuant to G.S. 14-202(l) requiring  
11 the individual to register.
- 12 (5) "Sexually violent offense" means a violation of G.S. 14-27.2 (first  
13 degree rape), G.S. 14-27.3 (second degree rape), G.S. 14-27.4 (first  
14 degree sexual offense), G.S. 14-27.5 (second degree sexual offense),  
15 G.S. 14-27.5A (sexual battery), G.S. 14-27.6 (attempted rape or sexual  
16 offense), G.S. 14-27.7 (intercourse and sexual offense with certain  
17 victims), G.S. 14-27.7A(a) (statutory rape or sexual offense of person  
18 who is 13-, 14-, or 15-years-old where the defendant is at least six  
19 years older), G.S. 14-43.13 (subjecting or maintaining a person for  
20 sexual servitude), G.S. 14-178 (incest between near relatives),  
21 G.S. 14-190.6 (employing or permitting minor to assist in offenses  
22 against public morality and decency), G.S. 14-190.9(a1)(felonious  
23 indecent exposure), G.S. 14-190.16 (first degree sexual exploitation of  
24 a minor), G.S. 14-190.17 (second degree sexual exploitation of a  
25 minor), G.S. 14-190.17A (third degree sexual exploitation of a minor),  
26 G.S. 14-190.18 (promoting prostitution of a minor), G.S. 14-190.19  
27 (participating in the prostitution of a minor), G.S. 14-202.1 (taking  
28 indecent liberties with children), or G.S. 14-202.3 (Solicitation of child  
29 by computer to commit an unlawful sex ~~act~~-act), G.S. 14-318.4(a1)  
30 (parent or caretaker commit or permit act of prostitution with or by a  
31 juvenile), or G.S. 14-318.4(a2) (commission or allowing of sexual act  
32 upon a juvenile by parent or guardian). The term also includes the  
33 following: a solicitation or conspiracy to commit any of these offenses;  
34 aiding and abetting any of these offenses.
- 35 (6) "Sexually violent predator" means a person who has been convicted of  
36 a sexually violent offense and who suffers from a mental abnormality  
37 or personality disorder that makes the person likely to engage in  
38 sexually violent offenses directed at strangers or at a person with  
39 whom a relationship has been established or promoted for the primary  
40 purpose of victimization.
- 41 (7) "Sheriff" means the sheriff of a county in this State.
- 42 (8) "Statewide registry" means the central registry compiled by the  
43 Division in accordance with G.S. 14-208.14.

1 (9) "Student" means a person who is enrolled on a full-time or part-time  
2 basis, in any postsecondary public or private educational institution,  
3 including any trade or professional institution, or other institution of  
4 higher education."

5 **SECTION 2.** G.S. 14-208.7(b) reads as rewritten:

6 "(b) The Division shall provide each sheriff with forms for registering persons as  
7 required by this Article. The registration form shall ~~require~~:require all of the following:

8 (1) The person's full name, each alias, date of birth, sex, race, height,  
9 weight, eye color, hair color, drivers license number, and home  
10 ~~address~~:address.

11 (2) The type of offense for which the person was convicted, the date of  
12 conviction, and the sentence ~~imposed~~:imposed.

13 (3) A current ~~photograph~~:photograph taken by the sheriff, without charge,  
14 at the time of registration.

15 (4) The person's ~~fingerprints~~:fingerprints taken by the sheriff, without  
16 charge, at the time of registration.

17 (5) A statement indicating whether the person is a student or expects to  
18 enroll as a student within a year of registering. If the person is a  
19 student or expects to enroll as a student within a year of registration,  
20 then the registration form shall also require the name and address of  
21 the educational institution at which the person is a student or expects  
22 to enroll as a ~~student~~:and student.

23 (6) A statement indicating whether the person is employed or expects to  
24 be employed at an institution of higher education within a year of  
25 registering. If the person is employed or expects to be employed at an  
26 institution of higher education within a year of registration, then the  
27 registration form shall also require the name and address of the  
28 educational institution at which the person is or expects to be  
29 employed.

30 (7) Any online identifier that the person uses or intends to use.

31 ~~The sheriff shall photograph the individual at the time of registration and take~~  
32 ~~fingerprints from the individual at the time of registration both of which will be kept as~~  
33 ~~part of the registration form. The registrant will not be required to pay any fees for the~~  
34 ~~photograph or fingerprints taken at the time of registration."~~

35 **SECTION 3.** G.S. 14-208.8(a) reads as rewritten:

36 "(a) At least 10 days, but not earlier than 30 days, before a person who will be  
37 subject to registration under this Article is due to be released from a penal institution, an  
38 official of the penal institution ~~shall~~:shall do all of the following:

39 (1) Inform the person of the person's duty to register under this Article and  
40 require the person to sign a written statement that the person was so  
41 informed or, if the person refuses to sign the statement, certify that the  
42 person was so ~~informed~~:informed.

- 1 (2) Obtain the registration information required under G.S. 14-208.7(b)(1),  
2 (2), (5), ~~and (6)~~, (6), and (7), as well as the address where the person  
3 expects to reside upon the person's ~~release~~; and release.
- 4 (3) Send the Division and the sheriff of the county in which the person  
5 expects to reside the information collected in accordance with  
6 subdivision (2) of this subsection."

7 **SECTION 4.** The catch line for G.S. 14-208.9 reads as rewritten:

8 "**§ 14-208.9. Change of address; change of academic status or educational**  
9 **employment status; status; change of online identifier.**"

10 **SECTION 5.** G.S. 14-208.9 is amended by adding a new subsection to read:

11 "(e) If a person required to register changes his or her or obtains a new online  
12 identifier, then the person shall, within 10 days, report in person to the sheriff of the  
13 county with whom the person registered to provide the new or changed online identifier  
14 information to the sheriff. The sheriff shall immediately forward this information to the  
15 Division."

16 **SECTION 6.** G.S. 14-208.9A(a)(3) reads as rewritten:

17 "(3) The verification form shall be signed by the person and shall indicate  
18 the following:

- 19 a. ~~whether~~ Whether the person still resides at the address last  
20 reported to the sheriff. If the person has a different address, then  
21 the person shall indicate that fact and the new address.
- 22 b. Whether the person still uses or intends to use any online  
23 identifiers last reported to the sheriff. If the person has any new  
24 or different online identifiers, then the person shall provide  
25 those online identifiers to the sheriff."

26 **SECTION 7.** G.S. 14-208.11(a) is amended by adding a new subdivision to  
27 read:

28 "(10) Fails to inform the registering sheriff of any new or changes to existing  
29 online identifiers that the person uses or intends to use."

30 **SECTION 8.** G.S. 14-208.14(a) is amended by adding a new subdivision to  
31 read:

32 "(5) To maintain a system allowing an entity to access a list of online  
33 identifiers of persons in the central sex offender registry."

34 **SECTION 9.** Part 2 of Article 27A of Chapter 14 of the General Statutes is  
35 amended by adding a new section to read:

36 "**§ 14-208.15A. Release of online identifiers to entity; fee.**

37 (a) The Division may release registry information regarding a registered  
38 offender's online identifier to an entity for the purpose of allowing the entity to  
39 prescreen users or to compare the online identifier information with information held by  
40 the entity as provided by this section.

41 (b) An entity desiring to prescreen its users or compare its database of registered  
42 users to the list of online identifiers of persons in the statewide registry may apply to the  
43 Division to access the information. An entity that complies with the criteria developed  
44 by the Division regarding the release and use of the online identifier information and

1 pays the fee may screen new users or compare its database of registered users to the list  
2 of online identifiers of persons in the statewide registry as frequently as the Division  
3 may allow for the purpose of identifying a registered user associated with an online  
4 identifier contained in the statewide registry.

5 (c) The Division may charge an entity that submits a request for the online  
6 identifiers of persons in the statewide registry a fee of one hundred dollars (\$100.00).  
7 Fees collected under this section shall be credited to the Department of Justice and  
8 applied to the cost of providing this service.

9 (d) The Division shall develop criteria and adopt rules regarding the release and  
10 use of online identifier information. The criteria shall include a requirement that the  
11 information obtained from the statewide registry shall not be disclosed for any purpose  
12 other than for prescreening its users or comparing the database of registered users of the  
13 entity against the list of online identifiers of persons in the statewide registry.

14 (e) An entity that receives a complaint from a user of the entity's services that a  
15 person who has an online identifier subject to registration on the statewide registry uses  
16 its service to solicit a minor by computer to commit an unlawful sex act as defined in  
17 G.S. 14-202.3 shall report that information to the Cyber Tipline at the National Center  
18 for Missing and Exploited Children or to the appropriate law enforcement official in this  
19 State. The offense is committed in the State for purposes of determining jurisdiction, if  
20 the transmission that constitutes the offense either originates in the State or is received  
21 in the State.

22 (f) An entity that complies with this section in good faith is immune from civil or  
23 criminal liability resulting from either of the following:

24 (1) The entity's refusal to provide system service to a person on the basis  
25 that the entity reasonably believed that the person was subject to  
26 registration under State sex offender registry laws.

27 (2) A person's criminal or tortious acts when the person is subject to the  
28 State sex offender registry laws, and the person:

29 a. Complied with the requirement to register the person's online  
30 identifier, and

31 b. Committed the criminal or tortious acts against a minor with  
32 whom the person had communicated on the entity's system by  
33 using the person's registered online identifier."

34 **SECTION 10.** Part 2 of Article 27A of Chapter 14 of the General Statutes is  
35 amended by adding the following new section to read:

36 **"§ 14-208.18. Forfeiture of licensing privileges for failure to register on the sex**  
37 **offender and public protection registry.**

38 (a) Definitions. – The following definitions apply in this section:

39 (1) 'Licensing board' means a department, division, agency, officer, board,  
40 or other unit of State government that issues hunting, fishing, trapping,  
41 drivers, or occupational licenses or licensing privileges.

42 (2) 'Licensing privilege' means the privilege of a person to be authorized  
43 to engage in an activity as evidenced by hunting, fishing, or trapping

1 licenses, regular and commercial drivers licenses, and occupational,  
2 professional, and business licenses.

3 (3) 'Occupational license' means a license, certificate, permit, registration,  
4 or any other authorization issued by a licensing board that allows a  
5 person to engage in an occupation or profession.

6 (b) Upon a finding by the sentencing judge that a person who has a reportable  
7 conviction or is a recidivist has failed to register with the statewide sex offender and  
8 public protection registry, and upon findings as to any specific licensing privileges held  
9 by the person, the court may revoke some or all of the privileges until the person has  
10 registered with the registry. Upon an order revoking the privileges of a person who has  
11 failed to register, the clerk of superior court shall notify the appropriate licensing board  
12 that the person has failed to register and that the person's licensing privileges are  
13 revoked until the licensing board receives proof of certification by the clerk that the  
14 person has registered.

15 (c) A person may file a request with the clerk of superior court for certification  
16 that the person has registered with the statewide registry. A person whose licensing  
17 privileges have been revoked under subsection (b) of this section because of a willful  
18 failure to comply with the registration requirement may file a request with the clerk of  
19 superior court for certification that the person has met the requirements of or is no  
20 longer subject to the registry requirement. The clerk shall provide a form to be used for  
21 a request for certification. If the clerk finds that the person whose licensing privileges  
22 have been revoked under subsection (b) of this section for failure to comply with  
23 registering on the statewide registry has complied with or is no longer subject to the  
24 registry requirement, then the clerk shall certify that the person has met the  
25 requirements of or is no longer subject to the requirements and shall provide a copy of  
26 the certification to the person. Upon request of the person, the clerk shall mail a copy of  
27 the certification to the appropriate licensing board.

28 (d) If licensing privileges are revoked under this section, the person may petition  
29 the district court for a reinstatement of the person's privileges. The court may order the  
30 privileges reinstated conditioned upon compliance with this Article. The court may  
31 order the privileges reinstated if the person has complied with or is no longer subject to  
32 the registry requirement. Upon reinstatement of the person whose licensing privileges  
33 were revoked based on failure to comply with this Article, the clerk of superior court  
34 shall certify that the person has complied with or is no longer subject to the  
35 requirements of this Article and provide a copy of the certification to the person. Upon  
36 request of the person whose licensing privileges are reinstated, the clerk shall mail a  
37 copy of the certification to the appropriate licensing board.

38 (e) A person whose licensing privileges are reinstated under this section may  
39 provide a copy of the certification set forth in either subsection (c) or (d) of this section  
40 to each licensing agency to which the person applies for reinstatement of licensing  
41 privileges. Upon request of the person, the clerk shall mail a copy of the certification to  
42 the appropriate licensing board. Upon receipt of a copy of the certification, the licensing  
43 board shall reinstate the license.



1       (f) Upon receipt of notification by the clerk that a person's licensing privileges  
2 are revoked pursuant to this section, the board shall note the revocation on its records  
3 and take all necessary steps to implement and enforce the revocation. These steps shall  
4 not include the board's independent revocation process pursuant to Article 3A of  
5 Chapter 150B of the General Statutes, the Administrative Procedure Act, which process  
6 is replaced by the court process prescribed by this section. The revocation pertaining to  
7 a person shall remain in full force and effect until the board receives certification under  
8 this section that the person has complied with the requirements of this Article. The  
9 revocation pertaining to the person whose licensing privileges were revoked on the basis  
10 of failure to comply with this Article shall remain in full force and effect until the board  
11 receives certification of reinstatement under subsection (d) of this section."

12               **SECTION 11.** Chapter 93B of the General Statutes is amended by adding a  
13 new section to read:

14 **"§ 93B-13.1. Revocation when licensing privilege forfeited for failure to register on**  
15 **the sex offender and public protection registry.**

16       (a) Upon receipt of a court order pursuant to G.S. 14-208.18 or notice that an  
17 individual has failed to register on the statewide registry as required, the occupational  
18 license of a licensee under its jurisdiction shall be revoked. An occupational licensing  
19 board shall note the revocation in its records, report the action within 30 days to the  
20 Department of Justice, Division of Criminal Statistics, and follow the normal  
21 postrevocation rules and procedures of the board as if the revocation had been ordered  
22 by the board. The revocation shall remain in effect until the board receives certification  
23 by the clerk of superior court or the Division of Criminal Statistics that the licensee has  
24 complied with the registry requirements under Part 2 of Article 27A of Chapter 14 of  
25 the General Statutes or is no longer subject to the registry requirements that were the  
26 basis for the revocation.

27       (b) If at the time the court revokes a license pursuant to subsection (a) of this  
28 section the occupational licensing board has revoked the same license under the  
29 licensing board's disciplinary authority over licensees under its jurisdiction and that  
30 revocation period is greater than the revocation period resulting from forfeiture pursuant  
31 to G.S. 14-208.18, then the revocation period imposed by the occupational licensing  
32 board applies. If the period during which the license was revoked was less than two  
33 years, the board shall reinstate the license. If, however, the period of revocation was  
34 greater than two years, the board may, in its discretion, require the licensee to  
35 demonstrate competence as a condition of reinstatement.

36       (c) If at the time the court revokes a license pursuant to subsection (a) of this  
37 section the occupational licensing board has taken disciplinary action pursuant to the  
38 same license under the licensing board's disciplinary authority over licensees under its  
39 jurisdiction and the duration of that disciplinary action is greater than the revocation  
40 period resulting from forfeiture pursuant to G.S. 14-208.18, then the board shall have no  
41 obligation to reinstate the license as provided in subsection (b) of this section, and the  
42 disciplinary action imposed by the board shall continue in effect."

43               **SECTION 12.** By December 1, 2007, the Administrative Office of the  
44 Courts, in consultation with the North Carolina Department of Justice, North Carolina

1 Department of Correction, and the North Carolina Sheriffs' Association shall develop a  
2 procedure to ensure timely notification to the Division of Criminal Information,  
3 Department of Justice, and to sheriffs regarding any person subject to registration under  
4 Article 27A of Chapter 14 of the General Statutes who does not receive an active term  
5 of imprisonment, as specified in G.S. 14-208.7(a).

6 **SECTION 13.(a)** Funds are authorized to be allocated to the Governor's  
7 Crime Commission for award as grants to eligible sheriffs' offices to assist with the  
8 enforcement of the State's sex offender laws. The grants shall be awarded specifically to  
9 enhance and support law efforts by sheriffs to do the following: (i) process and conduct  
10 in-person sex offender registrations, (ii) monitor compliance of sex offenders as  
11 required under Article 27A of Chapter 14 of the General Statutes, and (iii) conduct  
12 activities to investigate and apprehend persons who commit reportable offenses as  
13 defined under Article 27A of Chapter 14 of the General Statutes. Eligible sheriffs'  
14 offices are required to provide non-State matching funds equal to twenty-five percent  
15 (25%) of the grant amount awarded under this section, one-half of which may be in  
16 in-kind contributions.

17 **SECTION 13.(b)** The Commission shall establish the criteria regarding the  
18 eligibility and amount of the awards for the grants described in this section. The grant  
19 criteria shall include consideration of all of the following:

- 20 (1) The number of convicted sex offenders in the county of the applicant.
- 21 (2) The level of community support for the grant award.
- 22 (3) Whether the application identifies a problem that is consistent with the  
23 purposes of this initiative.
- 24 (4) The development and maintenance by the applicant with other public  
25 safety agencies to regularly exchange information and intelligence.
- 26 (5) Whether the application articulates clearly the jurisdiction's goals,  
27 outcomes, and objectives and describes the accountability system and  
28 performance measures to determine progress towards achieving them.

29 **SECTION 13.(c)** Any grants allocated shall not revert to the General Fund  
30 but shall remain with the Commission for the purposes described in this section.

31 **SECTION 13.(d)** The grant funds described by this section shall  
32 supplement, and not supplant, existing funds and services provided for the tracking of  
33 registered sex offenders. The grants shall be subject to established fiscal controls,  
34 annual reporting, and accountability requirements specified by the Commission.

35 **SECTION 13.(e)** This section is effective only if funds are appropriated to  
36 implement it. Nothing in this section shall obligate or require the State to appropriate  
37 funds for the purposes set forth in the section.

38 **SECTION 14.** Sections 12 and 14 of this act are effective when they become  
39 law. Section 13 of this act becomes effective August 1, 2007. The remainder of this act  
40 becomes effective December 1, 2007, and applies to persons who are required to  
41 register under Article 27A of Chapter 14 of the General Statutes on or after that date.  
42 The requirements related to online identifiers apply to persons whose initial registration  
43 under Article 27A of Chapter 14 of the General Statutes occurs on or after December 1,  
44 2007, and to persons who are registered under Article 27 of Chapter 14 of the General

- 1 Statutes as of December 1, 2007, but only after the first verification of registration that
- 2 occurs on or after that date.