
By: **Delegates Cryor, Barkley, Bronrott, Burns, Cluster, DeBoy, Elmore,
Frank, Frush, Glassman, Heller, Howard, Kach, McDonough,
Montgomery, Smigiel, Sossi, Stern, Stocksdales, and Taylor**

Introduced and read first time: February 11, 2004

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2 **Education - Registered Child Sexual Offenders Attending Public School**

3 FOR the purpose of authorizing a county superintendent of schools to refuse to enroll
4 a certain child sexual offender in a particular public school; requiring a county
5 superintendent of schools to provide a certain alternative education program
6 under certain circumstances; and generally relating to the enrollment of a
7 registered child sexual offender in public school.

8 BY repealing and reenacting, without amendments,
9 Article - Criminal Procedure
10 Section 11-709(b)
11 Annotated Code of Maryland
12 (2001 Volume and 2003 Supplement)

13 BY adding to
14 Article - Education
15 Section 7-303.1
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2003 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Criminal Procedure

2 11-709.

3 (b) (1) As soon as possible but not later than 5 working days after receiving
4 a registration statement of a child sexual offender, a local law enforcement unit shall
5 send written notice of the registration statement to the county superintendent, as
6 defined in § 1-101 of the Education Article, in the county where the child sexual
7 offender is to reside or where a child sexual offender who is not a resident of the State
8 will work or attend school.

9 (2) As soon as possible but not later than 5 working days after receiving
10 notice from the local law enforcement unit under paragraph (1) of this subsection, the
11 county superintendent shall send written notice of the registration statement to
12 principals of the schools under the superintendent's supervision that the
13 superintendent considers necessary to protect the students of a school from a child
14 sexual offender.

15

Article - Education

16 7-303.1.

17 (A) AFTER RECEIVING WRITTEN NOTICE OF THE REGISTRATION OF A CHILD
18 SEXUAL OFFENDER FROM A LOCAL LAW ENFORCEMENT UNIT UNDER § 11-709(B) OF
19 THE CRIMINAL PROCEDURE ARTICLE, A COUNTY SUPERINTENDENT MAY REFUSE TO
20 ENROLL THE CHILD SEXUAL OFFENDER IN A PARTICULAR PUBLIC SCHOOL.

21 (B) IF A COUNTY SUPERINTENDENT REFUSES ENROLLMENT OF A CHILD
22 SEXUAL OFFENDER IN A PARTICULAR SCHOOL UNDER SUBSECTION (A) OF THIS
23 SECTION, THE COUNTY SUPERINTENDENT SHALL PROVIDE AN ALTERNATIVE
24 EDUCATION PROGRAM FOR THE CHILD SEXUAL OFFENDER.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2004.