

AMENDED IN SENATE JUNE 17, 2008

AMENDED IN ASSEMBLY MAY 23, 2008

AMENDED IN ASSEMBLY APRIL 28, 2008

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2593**

---

---

**Introduced by Assembly Member Adams  
(Coauthors: Assembly Members Karnette, Ma, and Portantino)**

February 22, 2008

---

---

An act to amend ~~Section 3003.5~~ of Sections 290.022, 290.45, 290.46, and 3003.5 of, and to add Section 290.47 to, the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

AB 2593, as amended, Adams. Sex ~~offenders: parole:~~ offenders.

*Existing law requires the Attorney General to establish and maintain the Violent Crime Information Network (VCIN) to enable Department of Justice crime analysts to share data and assist in the apprehension of violent offenders. Under existing law, the Department of Justice is required to renovate the VCIN no later than July 1, 2010, to meet certain goals, including providing law enforcement agencies with full Internet access to all sex offender data and photos.*

*This bill would require the Department of Justice, by July 1, 2010, to also enable access to the VCIN for any peace officer employed by the state.*

*Under existing law, a designated law enforcement entity may provide information to the public about a registered sex offender when necessary*

to ensure public safety based upon information available to the entity concerning that sex offender, except as specified.

This bill would authorize certain peace officers who receive information about sex offenders who are required to register pursuant to law to provide the information to appropriate licensing or legal staff in the performance of their duties. The bill would further require the State Department of Social Services to compare specified sex offender address information with all licensed facility addresses and to take appropriate action, as specified.

Existing law prohibits any person who is required to register as a sex offender from residing in a single family dwelling with any other person also required to register as a sex offender, except under certain circumstances.

This bill would specify that a “single family dwelling,” for purposes of that provision includes a single room within a hotel.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 290.022 of the Penal Code is amended  
2 to read:

3 290.022. On or before July 1, 2010, the Department of Justice  
4 shall renovate the VCIN to do the following:

5 (1)

6 (a) Correct all software deficiencies affecting data integrity and  
7 include designated data fields for all mandated sex offender data.

8 (2)

9 (b) Consolidate and simplify program logic, thereby increasing  
10 system performance and reducing system maintenance costs.

11 (3)

12 (c) Provide all necessary data storage, processing, and search  
13 capabilities.

14 (4)

15 (d) Provide law enforcement agencies with full Internet access  
16 to all sex offender data and photos, and enable access for any  
17 peace officer employed by the State of California.

18 (5)

19 (e) Incorporate a flexible design structure to readily meet future  
20 demands for enhanced system functionality, including public

1 Internet access to sex offender information pursuant to Section  
2 290.46.

3 *SEC. 2. Section 290.45 of the Penal Code is amended to read:*

4 290.45. (a) (1) Notwithstanding any other provision of law,  
5 and except as provided in paragraph (2), any designated law  
6 enforcement entity may provide information to the public about a  
7 person required to register as a sex offender pursuant to Section  
8 290, by whatever means the entity deems appropriate, when  
9 necessary to ensure the public safety based upon information  
10 available to the entity concerning that specific person.

11 (2) The law enforcement entity shall include, with the disclosure,  
12 a statement that the purpose of the release of information is to  
13 allow members of the public to protect themselves and their  
14 children from sex offenders.

15 (3) Community notification by way of an Internet Web site shall  
16 be governed by Section 290.46, and a designated law enforcement  
17 entity may not post on an Internet Web site any information  
18 identifying an individual as a person required to register as a sex  
19 offender except as provided in that section unless there is a warrant  
20 outstanding for that person's arrest.

21 (b) Information that may be provided pursuant to subdivision  
22 (a) may include, but is not limited to, the offender's name, known  
23 aliases, gender, race, physical description, photograph, date of  
24 birth, address, which shall be verified prior to publication,  
25 description and license plate number of the offender's vehicles or  
26 vehicles the offender is known to drive, type of victim targeted by  
27 the offender, relevant parole or probation conditions, crimes  
28 resulting in classification under this section, and date of release  
29 from confinement, but excluding information that would identify  
30 the victim.

31 (c) (1) The designated law enforcement entity may authorize  
32 persons and entities who receive the information pursuant to this  
33 section to disclose information to additional persons only if the  
34 entity determines that disclosure to the additional persons will  
35 enhance the public safety and identifies the appropriate scope of  
36 further disclosure. A law enforcement entity may not authorize  
37 any disclosure of this information by its placement on an Internet  
38 Web site.

39 (2) A person who receives information from a law enforcement  
40 entity pursuant to paragraph (1) may disclose that information only

1 in the manner and to the extent authorized by the law enforcement  
2 entity.

3 *(d) Notwithstanding any other provision of law, a peace officer*  
4 *described in Section 830.3, who receives information pursuant to*  
5 *Sections 290.012 and 290.022 may provide the information to*  
6 *appropriate licensing or legal staff in the performance of their*  
7 *duties to ascertain and enforce compliance with the licensing rules*  
8 *and regulations and to ensure the health, morals, welfare, or safety*  
9 *of the people of this state.*

10 ~~(d)~~

11 (e) (1) A designated law enforcement entity and its employees  
12 shall be immune from liability for good faith conduct under this  
13 section.

14 (2) Any public or private educational institution, day care  
15 facility, or any child care custodian described in Section 11165.7,  
16 or any employee of a public or private educational institution or  
17 day care facility which in good faith disseminates information as  
18 authorized pursuant to subdivision (c) shall be immune from civil  
19 liability.

20 ~~(e)~~

21 (f) (1) Any person who uses information disclosed pursuant to  
22 this section to commit a felony shall be punished, in addition and  
23 consecutive to any other punishment, by a five-year term of  
24 imprisonment in the state prison.

25 (2) Any person who uses information disclosed pursuant to this  
26 section to commit a misdemeanor shall be subject to, in addition  
27 to any other penalty or fine imposed, a fine of not less than five  
28 hundred dollars (\$500) and not more than one thousand dollars  
29 (\$1,000).

30 ~~(f)~~

31 (g) For purposes of this section, “designated law enforcement  
32 entity” means the Department of Justice, every district attorney,  
33 the Department of Corrections, the Department of the Youth  
34 Authority, and every state or local agency expressly authorized by  
35 statute to investigate or prosecute law violators.

36 ~~(g)~~

37 (h) The public notification provisions of this section are  
38 applicable to every person required to register pursuant to Section  
39 290, without regard to when his or her crimes were committed or  
40 his or her duty to register pursuant to Section 290 arose, and to

1 every offense described in Section 290, regardless of when it was  
2 committed.

3 *SEC. 3. Section 290.46 of the Penal Code is amended to read:*

4 290.46. (a) (1) On or before the dates specified in this section,  
5 the Department of Justice shall make available information  
6 concerning persons who are required to register pursuant to Section  
7 290 to the public via an Internet Web site as specified in this  
8 section. The department shall update the Internet Web site on an  
9 ongoing basis. All information identifying the victim by name,  
10 birth date, address, or relationship to the registrant shall be  
11 excluded from the Internet Web site. The name or address of the  
12 person's employer and the listed person's criminal history other  
13 than the specific crimes for which the person is required to register  
14 shall not be included on the Internet Web site. The Internet Web  
15 site shall be translated into languages other than English as  
16 determined by the department.

17 (2) (A) On or before July 1, 2010, the Department of Justice  
18 shall make available to the public, via an Internet Web site as  
19 specified in this section, as to any person described in ~~subdivisions~~  
20 *subdivision* (b), (c), or (d), the following information:

21 (i) The year of conviction of his or her most recent offense  
22 requiring registration pursuant to Section 290.

23 (ii) The year he or she was released from incarceration for that  
24 offense.

25 (iii) Whether he or she was subsequently incarcerated for any  
26 other felony, if that fact is reported to the department. If the  
27 department has no information about a subsequent incarceration  
28 for any felony, that fact shall be noted on the Internet Web site.

29 However, no year of conviction shall be made available to the  
30 public unless the department also is able to make available the  
31 corresponding year of release of incarceration for that offense, and  
32 the required notation regarding any subsequent felony.

33 (B) (i) Any state facility that releases from incarceration a  
34 person who was incarcerated because of a crime for which he or  
35 she is required to register as a sex offender pursuant to Section  
36 290 shall, within 30 days of release, provide the year of release  
37 for his or her most recent offense requiring registration to the  
38 Department of Justice in a manner and format approved by the  
39 department.

1 (ii) Any state facility that releases a person who is required to  
2 register pursuant to Section 290 from incarceration whose  
3 incarceration was for a felony committed subsequently to the  
4 offense for which he or she is required to register shall, within 30  
5 days of release, advise the Department of Justice of that fact.

6 (iii) Any state facility that, prior to January 1, 2007, released  
7 from incarceration a person who was incarcerated because of a  
8 crime for which he or she is required to register as a sex offender  
9 pursuant to Section 290 shall provide the year of release for his or  
10 her most recent offense requiring registration to the Department  
11 of Justice in a manner and format approved by the department.  
12 The information provided by the Department of Corrections and  
13 Rehabilitation shall be limited to information that is currently  
14 maintained in an electronic format.

15 (iv) Any state facility that, prior to January 1, 2007, released a  
16 person who is required to register pursuant to Section 290 from  
17 incarceration whose incarceration was for a felony committed  
18 subsequently to the offense for which he or she is required to  
19 register shall advise the Department of Justice of that fact in a  
20 manner and format approved by the department. The information  
21 provided by the Department of Corrections and Rehabilitation  
22 shall be limited to information that is currently maintained in an  
23 electronic format.

24 (3) The State Department of Mental Health shall provide to the  
25 Department of Justice Sex Offender Tracking Program the names  
26 of all persons committed to its custody pursuant to Article 4  
27 (commencing with Section 6600) of Chapter 2 of Part 2 of Division  
28 6 of the Welfare and Institutions Code, within 30 days of  
29 commitment, and shall provide the names of all of those persons  
30 released from its custody within five working days of release.

31 (b) (1) On or before July 1, 2005, with respect to a person who  
32 has been convicted of the commission or the attempted commission  
33 of any of the offenses listed in, or who is described in, paragraph  
34 (2), the Department of Justice shall make available to the public  
35 via the Internet Web site his or her name and known aliases, a  
36 photograph, a physical description, including gender and race, date  
37 of birth, criminal history, prior adjudication as a sexually violent  
38 predator, the address at which the person resides, and any other  
39 information that the Department of Justice deems relevant, but not  
40 the information excluded pursuant to subdivision (a).

- 1 (2) This subdivision shall apply to the following offenses and  
2 offenders:
- 3 (A) Section 207 committed with intent to violate Section 261,  
4 286, 288, 288a, or 289.
  - 5 (B) Section 209 committed with intent to violate Section 261,  
6 286, 288, 288a, or 289.
  - 7 (C) Paragraph (2) or (6) of subdivision (a) of Section 261.
  - 8 (D) Section 264.1.
  - 9 (E) Section 269.
  - 10 (F) Subdivision (c) or (d) of Section 286.
  - 11 (G) Subdivision (a), (b), or (c) of Section 288, provided that the  
12 offense is a felony.
  - 13 (H) Subdivision (c) or (d) of Section 288a.
  - 14 (I) Section 288.3, provided that the offense is a felony.
  - 15 (J) Section 288.4, provided that the offense is a felony.
  - 16 (K) Section 288.5.
  - 17 (L) Subdivision (a) or (j) of Section 289.
  - 18 (M) Section 288.7.
  - 19 (N) Any person who has ever been adjudicated a sexually violent  
20 predator, as defined in Section 6600 of the Welfare and Institutions  
21 Code.
- 22 (c) (1) On or before July 1, 2005, with respect to a person who  
23 has been convicted of the commission or the attempted commission  
24 of any of the offenses listed in paragraph (2), the Department of  
25 Justice shall make available to the public via the Internet Web site  
26 his or her name and known aliases, a photograph, a physical  
27 description, including gender and race, date of birth, criminal  
28 history, the community of residence and ZIP Code in which the  
29 person resides or the county in which the person is registered as a  
30 transient, and any other information that the Department of Justice  
31 deems relevant, but not the information excluded pursuant to  
32 subdivision (a). On or before July 1, 2006, the Department of  
33 Justice shall determine whether any person convicted of an offense  
34 listed in paragraph (2) also has one or more prior or subsequent  
35 convictions of an offense listed in subdivision (c) of Section 290,  
36 and, for those persons, the Department of Justice shall make  
37 available to the public via the Internet Web site the address at  
38 which the person resides. However, the address at which the person  
39 resides shall not be disclosed until a determination is made that  
40 the person is, by virtue of his or her additional prior or subsequent

1 conviction of an offense listed in subdivision (c) of Section 290,  
 2 subject to this subdivision.

3 (2) This subdivision shall apply to the following offenses:  
 4 (A) Section 220, except assault to commit mayhem.  
 5 (B) Paragraph (1), (3), or (4) of subdivision (a) of Section 261.  
 6 (C) Paragraph (2) of subdivision (b), or subdivision (f), (g), or  
 7 (i), of Section 286.  
 8 (D) Paragraph (2) of subdivision (b), or subdivision (f), (g), or  
 9 (i), of Section 288a.  
 10 (E) Subdivision (b), (d), (e), or (i) of Section 289.

11 (d) (1) On or before July 1, 2005, with respect to a person who  
 12 has been convicted of the commission or the attempted commission  
 13 of any of the offenses listed in, or who is described in, this  
 14 subdivision, the Department of Justice shall make available to the  
 15 public via the Internet Web site his or her name and known aliases,  
 16 a photograph, a physical description, including gender and race,  
 17 date of birth, criminal history, the community of residence and  
 18 ZIP Code in which the person resides or the county in which the  
 19 person is registered as a transient, and any other information that  
 20 the Department of Justice deems relevant, but not the information  
 21 excluded pursuant to subdivision (a) or the address at which the  
 22 person resides.

23 (2) This subdivision shall apply to the following offenses and  
 24 offenders:  
 25 (A) Subdivision (a) of Section 243.4, provided that the offense  
 26 is a felony.  
 27 (B) Section 266, provided that the offense is a felony.  
 28 (C) Section 266c, provided that the offense is a felony.  
 29 (D) Section 266j.  
 30 (E) Section 267.  
 31 (F) Subdivision (c) of Section 288, provided that the offense is  
 32 a misdemeanor.  
 33 (G) Section 288.3, provided that the offense is a misdemeanor.  
 34 (H) Section 288.4, provided that the offense is a misdemeanor.  
 35 (I) Section 626.81.  
 36 (J) Section 647.6.  
 37 (K) Section 653c.  
 38 (L) Any person required to register pursuant to Section 290  
 39 based upon an out-of-state conviction, unless that person is  
 40 excluded from the Internet Web site pursuant to subdivision (e).

1 However, if the Department of Justice has determined that the  
2 out-of-state crime, if committed or attempted in this state, would  
3 have been punishable in this state as a crime described in  
4 subdivision (c) of Section 290, the person shall be placed on the  
5 Internet Web site as provided in subdivision (b) or (c), as applicable  
6 to the crime.

7 (e) (1) If a person has been convicted of the commission or the  
8 attempted commission of any of the offenses listed in this  
9 subdivision, and he or she has been convicted of no other offense  
10 listed in subdivision (b), (c), or (d) other than those listed in this  
11 subdivision, that person may file an application with the  
12 Department of Justice, on a form approved by the department, for  
13 exclusion from the Internet Web site. If the department determines  
14 that the person meets the requirements of this subdivision, the  
15 department shall grant the exclusion and no information concerning  
16 the person shall be made available via the Internet Web site  
17 described in this section. He or she bears the burden of proving  
18 the facts that make him or her eligible for exclusion from the  
19 Internet Web site. However, a person who has filed for or been  
20 granted an exclusion from the Internet Web site is not relieved of  
21 his or her duty to register as a sex offender pursuant to Section  
22 290 nor from any otherwise applicable provision of law.

23 (2) This subdivision shall apply to the following offenses:

24 (A) A felony violation of subdivision (a) of Section 243.4.

25 (B) Section 647.6, if the offense is a misdemeanor.

26 (C) (i) An offense for which the offender successfully  
27 completed probation, provided that the offender submits to the  
28 department a certified copy of a probation report, presentencing  
29 report, report prepared pursuant to Section 288.1, or other official  
30 court document that clearly demonstrates that the offender was  
31 the victim's parent, stepparent, sibling, or grandparent and that the  
32 crime did not involve either oral copulation or penetration of the  
33 vagina or rectum of either the victim or the offender by the penis  
34 of the other or by any foreign object.

35 (ii) An offense for which the offender is on probation at the  
36 time of his or her application, provided that the offender submits  
37 to the department a certified copy of a probation report,  
38 presentencing report, report prepared pursuant to Section 288.1,  
39 or other official court document that clearly demonstrates that the  
40 offender was the victim's parent, stepparent, sibling, or grandparent

1 and that the crime did not involve either oral copulation or  
2 penetration of the vagina or rectum of either the victim or the  
3 offender by the penis of the other or by any foreign object.

4 (iii) If, subsequent to his or her application, the offender commits  
5 a violation of probation resulting in his or her incarceration in  
6 county jail or state prison, his or her exclusion, or application for  
7 exclusion, from the Internet Web site shall be terminated.

8 (iv) For the purposes of this subparagraph, “successfully  
9 completed probation” means that during the period of probation  
10 the offender neither received additional county jail or state prison  
11 time for a violation of probation nor was convicted of another  
12 offense resulting in a sentence to county jail or state prison.

13 (3) If the department determines that a person who was granted  
14 an exclusion under a former version of this subdivision would not  
15 qualify for an exclusion under the current version of this  
16 subdivision, the department shall rescind the exclusion, make a  
17 reasonable effort to provide notification to the person that the  
18 exclusion has been rescinded, and, no sooner than 30 days after  
19 notification is attempted, make information about the offender  
20 available to the public on the Internet Web site as provided in this  
21 section.

22 (4) Effective January 1, 2012, no person shall be excluded  
23 pursuant to this subdivision unless the offender has submitted to  
24 the department documentation sufficient for the department to  
25 determine that he or she has a SARATSO risk level of low or  
26 moderate-low.

27 (f) The Department of Justice shall make a reasonable effort to  
28 provide notification to persons who have been convicted of the  
29 commission or attempted commission of an offense specified in  
30 subdivision (b), (c), or (d), that on or before July 1, 2005, the  
31 department is required to make information about specified sex  
32 offenders available to the public via an Internet Web site as  
33 specified in this section. The Department of Justice shall also make  
34 a reasonable effort to provide notice that some offenders are  
35 eligible to apply for exclusion from the Internet Web site.

36 (g) (1) A designated law enforcement entity, as defined in  
37 subdivision—(f) (g) of Section 290.45, may make available  
38 information concerning persons who are required to register  
39 pursuant to Section 290 to the public via an Internet Web site as  
40 specified in paragraph (2).

1 (2) The law enforcement entity may make available by way of  
2 an Internet Web site the information described in subdivision (c)  
3 if it determines that the public disclosure of the information about  
4 a specific offender by way of the entity's Internet Web site is  
5 necessary to ensure the public safety based upon information  
6 available to the entity concerning that specific offender.

7 (3) The information that may be provided pursuant to this  
8 subdivision may include the information specified in subdivision  
9 (b) of Section 290.45. However, that offender's address may not  
10 be disclosed unless he or she is a person whose address is on the  
11 Department of Justice's Internet Web site pursuant to subdivision  
12 (b) or (c).

13 (h) For purposes of this section, "offense" includes the statutory  
14 predecessors of that offense, or any offense committed in another  
15 jurisdiction that, if committed or attempted to be committed in this  
16 state, would have been punishable in this state as an offense listed  
17 in subdivision (c) of Section 290.

18 (i) Notwithstanding Section 6254.5 of the Government Code,  
19 disclosure of information pursuant to this section is not a waiver  
20 of exemptions under Chapter 3.5 (commencing with Section 6250)  
21 of Title 1 of Division 7 of the Government Code and does not  
22 affect other statutory restrictions on disclosure in other situations.

23 (j) (1) Any person who uses information disclosed pursuant to  
24 this section to commit a misdemeanor shall be subject to, in  
25 addition to any other penalty or fine imposed, a fine of not less  
26 than ten thousand dollars (\$10,000) and not more than fifty  
27 thousand dollars (\$50,000).

28 (2) Any person who uses information disclosed pursuant to this  
29 section to commit a felony shall be punished, in addition and  
30 consecutive to any other punishment, by a five-year term of  
31 imprisonment in the state prison.

32 (k) Any person who is required to register pursuant to Section  
33 290 who enters an Internet Web site established pursuant to this  
34 section shall be punished by a fine not exceeding one thousand  
35 dollars (\$1,000), imprisonment in a county jail for a period not to  
36 exceed six months, or by both that fine and imprisonment.

37 (l) (1) A person is authorized to use information disclosed  
38 pursuant to this section only to protect a person at risk.

39 (2) Except as authorized under paragraph (1) or any other  
40 provision of law, use of any information that is disclosed pursuant

1 to this section for purposes relating to any of the following is  
2 prohibited:

- 3 (A) Health insurance.
- 4 (B) Insurance.
- 5 (C) Loans.
- 6 (D) Credit.
- 7 (E) Employment.
- 8 (F) Education, scholarships, or fellowships.
- 9 (G) Housing or accommodations.
- 10 (H) Benefits, privileges, or services provided by any business  
11 establishment.

12 (3) This section shall not affect authorized access to, or use of,  
13 information pursuant to, among other provisions, Sections 11105  
14 and 11105.3, Section 8808 of the Family Code, Sections 777.5  
15 and 14409.2 of the Financial Code, Sections 1522.01 and 1596.871  
16 of the Health and Safety Code, and Section 432.7 of the Labor  
17 Code.

18 (4) (A) Any use of information disclosed pursuant to this section  
19 for purposes other than those provided by paragraph (1) or in  
20 violation of paragraph (2) shall make the user liable for the actual  
21 damages, and any amount that may be determined by a jury or a  
22 court sitting without a jury, not exceeding three times the amount  
23 of actual damage, and not less than two hundred fifty dollars  
24 (\$250), and attorney’s fees, exemplary damages, or a civil penalty  
25 not exceeding twenty-five thousand dollars (\$25,000).

26 (B) Whenever there is reasonable cause to believe that any  
27 person or group of persons is engaged in a pattern or practice of  
28 misuse of the information available via an Internet Web site  
29 established pursuant to this section in violation of paragraph (2),  
30 the Attorney General, any district attorney, or city attorney, or any  
31 person aggrieved by the misuse is authorized to bring a civil action  
32 in the appropriate court requesting preventive relief, including an  
33 application for a permanent or temporary injunction, restraining  
34 order, or other order against the person or group of persons  
35 responsible for the pattern or practice of misuse. The foregoing  
36 remedies shall be independent of any other remedies or procedures  
37 that may be available to an aggrieved party under other provisions  
38 of law, including Part 2 (commencing with Section 43) of Division  
39 1 of the Civil Code.

1 (m) The public notification provisions of this section are  
2 applicable to every person described in this section, without regard  
3 to when his or her crimes were committed or his or her duty to  
4 register pursuant to Section 290 arose, and to every offense  
5 described in this section, regardless of when it was committed.

6 (n) On or before July 1, 2006, and every year thereafter, the  
7 Department of Justice shall make a report to the Legislature  
8 concerning the operation of this section.

9 (o) A designated law enforcement entity and its employees shall  
10 be immune from liability for good faith conduct under this section.

11 (p) The Attorney General, in collaboration with local law  
12 enforcement and others knowledgeable about sex offenders, shall  
13 develop strategies to assist members of the public in understanding  
14 and using publicly available information about registered sex  
15 offenders to further public safety. These strategies may include,  
16 but are not limited to, a hotline for community inquiries,  
17 neighborhood and business guidelines for how to respond to  
18 information posted on this *Internet* Web site, and any other  
19 resource that promotes public education about these offenders.

20 *SEC. 4. Section 290.47 is added to the Penal Code, to read:*

21 *290.47. The State Department of Social Services shall compare,*  
22 *on a quarterly basis, the sex offender address information shared*  
23 *with it pursuant to the Sex Offender Registration Act with all*  
24 *licensed facility addresses and take appropriate action, as*  
25 *authorized by law.*

26 **SECTION 1.**

27 *SEC. 5. Section 3003.5 of the Penal Code is amended to read:*

28 3003.5. (a) Notwithstanding any other provision of law, when  
29 a person is released on parole after having served a term of  
30 imprisonment in state prison for any offense for which registration  
31 is required pursuant to the Sex Offender Registration Act, that  
32 person may not, during the period of parole, reside in any single  
33 family dwelling with any other person also required to register  
34 pursuant to the Sex Offender Registration Act, unless those persons  
35 are legally related by blood, marriage, or adoption. For purposes  
36 of this section, “single family dwelling” shall not include a  
37 residential facility that serves six or fewer persons.

38 (b) For purposes of this section, a “single family dwelling”  
39 includes a single room within a hotel.

1 (c) Notwithstanding any other provision of law, it is unlawful  
2 for any person for whom registration is required pursuant to the  
3 Sex Offender Registration Act to reside within 2,000 feet of any  
4 public or private school, or park where children regularly gather.

5 (d) Nothing in this section shall prohibit municipal jurisdictions  
6 from enacting local ordinances that further restrict the residency  
7 of any person for whom registration is required pursuant to the  
8 Sex Offender Registration Act.