

Introduced by Senator Hollingsworth

February 27, 2009

An act to amend Section 290 of the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

SB 668, as introduced, Hollingsworth. Sex offenders.

Existing law requires persons convicted of specified sex offenses to register with local authorities for life while residing, located, attending school, or working in California, and requires preregistration and reregistration, as specified. Willful failure to register, preregister, or reregister, as required, is a misdemeanor or felony, depending on the underlying offense.

This bill would require that the registration, preregistration, or reregistration be signed under penalty of perjury.

By expanding the crime of perjury, a felony, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 290 of the Penal Code is amended to
2 read:

1 290. (a) Sections 290 to 290.023, inclusive, shall be known
2 and may be cited as the Sex Offender Registration Act. All
3 references to “the Act” in those sections are to the Sex Offender
4 Registration Act.

5 (b) Every person described in subdivision (c), for the rest of his
6 or her life while residing in California, or while attending school
7 or working in California, as described in Sections 290.002 and
8 290.01, shall be required to register with the chief of police of the
9 city in which he or she is residing, or the sheriff of the county if
10 he or she is residing in an unincorporated area or city that has no
11 police department, and, additionally, with the chief of police of a
12 campus of the University of California, the California State
13 University, or community college if he or she is residing upon the
14 campus or in any of its facilities, within five working days of
15 coming into, or changing his or her residence within, any city,
16 county, or city and county, or campus in which he or she
17 temporarily resides, and shall be required to register thereafter in
18 accordance with the Act.

19 (c) The following persons shall be required to register:

20 Any person who, since July 1, 1944, has been or is hereafter
21 convicted in any court in this state or in any federal or military
22 court of a violation of Section 187 committed in the perpetration,
23 or an attempt to perpetrate, rape or any act punishable under
24 Section 286, 288, 288a, or 289, Section 207 or 209 committed
25 with intent to violate Section 261, 286, 288, 288a, or 289, Section
26 220, except assault to commit mayhem, Section 243.4, paragraph
27 (1), (2), (3), (4), or (6) of subdivision (a) of Section 261, paragraph
28 (1) of subdivision (a) of Section 262 involving the use of force or
29 violence for which the person is sentenced to the state prison,
30 Section 264.1, 266, or 266c, subdivision (b) of Section 266h,
31 subdivision (b) of Section 266i, Section 266j, 267, 269, 285, 286,
32 288, 288a, 288.3, 288.4, 288.5, 288.7, 289, or 311.1, subdivision
33 (b), (c), or (d) of Section 311.2, Section 311.3, 311.4, 311.10,
34 311.11, or 647.6, former Section 647a, subdivision (c) of Section
35 653f, subdivision 1 or 2 of Section 314, any offense involving
36 lewd or lascivious conduct under Section 272, or any felony
37 violation of Section 288.2; any statutory predecessor that includes
38 all elements of one of the above-mentioned offenses; or any person
39 who since that date has been or is hereafter convicted of the attempt
40 or conspiracy to commit any of the above-mentioned offenses.

1 *(d) Every registration, reregistration, and preregistration*
2 *required by the Act shall be signed under penalty of perjury.*

3 SEC. 2. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district will be incurred because this act creates a new crime or
7 infraction, eliminates a crime or infraction, or changes the penalty
8 for a crime or infraction, within the meaning of Section 17556 of
9 the Government Code, or changes the definition of a crime within
10 the meaning of Section 6 of Article XIII B of the California
11 Constitution.