

AMENDED IN ASSEMBLY APRIL 6, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2598

Introduced by Assembly Member Battin

February 25, 2000

An act to amend Section 290.4 of, and to add Section 294.5 to, the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

AB 2598, as amended, Battin. Sex offenders:—~~Internet directory.~~

(1) Existing law requires the Department of Justice to operate a "900" telephone number program for the purpose of making information available to the public regarding registered sex offenders. The department is also required to provide and distribute to specified local law enforcement agencies a CD-ROM or other electronic medium containing the same information provided through the "900" telephone number program, except as specified, and requires local officials to provide public access to this information. Misuse of this information is a misdemeanor. These requirements terminate on January 1, 2001.

This bill would repeal the above January 1, 2001, sunset clause. By extending indefinitely the operation of the above provisions, this bill would extend the operation of criminal prohibitions and other duties of local agencies and would therefore impose a state-mandated local program.

(2) Existing law requires the Department of Justice to compile, organize, and make available through a “900” telephone number, specified information regarding persons required to register as sex offenders.

This bill would additionally require the Department of Justice to establish and maintain a publicly accessible Internet directory of information relating to registered sex offenders who are convicted of specified offenses on or after January 1, 1998. The bill would require that access to this directory be available only by means of a Personal Identification Number (PIN) issued after compliance with a specified application process. The bill would provide that any person who uses information disclosed pursuant to this provision to commit a crime shall be punished, in addition and consecutive to any other punishment for the offense, by a fine of not less than \$10,000 and not more than \$100,000. The bill would further provide that 50% of the assessed fine shall be allocated to nonprofit entities who specialize in the long-term care and treatment of children who are victims of sexual offenses and 50% of the assessed fine shall be allocated to temporary shelters for abused children. The bill would also punish by fine of not less than \$2,500 and not more than \$10,000 any person who discloses, distributes, disseminates, or publishes his or her PIN to another person. Additionally, under the bill any person who uses any information disclosed except as authorized would be liable for the actual damages caused and any other amount determined by a jury or a court, not to exceed 3 times the amount of actual damages, and not less than \$250, plus attorney’s fees, exemplary damages, or a civil penalty not exceeding \$25,000. By establishing a new sentence enhancement, the bill would impose 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.



This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

~~Existing law provides for various studies and pilot programs in connection with crime prevention.~~

~~This bill would direct the Department of Justice to conduct a study, as specified, regarding the feasibility of an Internet directory of persons convicted of specified sex offenses, to be reported to the Legislature not later than January 1, 2002.~~

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

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

1 ~~SECTION 1.—(a) The Department of Justice shall~~
2 *SECTION 1. Section 290.4 of the Penal Code is*
3 *amended to read:*
4 290.4. (a) (1) The Department of Justice shall
5 continually compile information as described in
6 paragraph (2) regarding any person required to register
7 under Section 290 for a conviction of Section 207 or 209
8 committed with the intent to violate Section 261, 286, 288,
9 288a, or 289; Section 220, except assault to commit
10 mayhem; Section 243.4, provided that the offense is a
11 felony; paragraph (1), (2), (3), (4), or (6) of subdivision
12 (a) of Section 261; Section 264.1; Section 266, provided
13 that the offense is a felony; Section 266c, provided that the
14 offense is a felony; Section 266j; Section 267; Section 269;
15 paragraph (1) of subdivision (b) of Section 286, provided
16 that the offense is a felony; paragraph (2) of subdivision
17 (b), subdivision (c), (d), (f), (g), (i), (j), or (k) of Section
18 286; Section 288; paragraph (1) of subdivision (b) of
19 Section 288a, provided that the offense is a felony;
20 paragraph (2) of subdivision (b), (c), (d), (f), (g), (i),
21 (j), or (k) of Section 288a; Section 288.5; subdivision (a),



1 (b), (d), (e), (f), (g), or (h) of Section 289, provided that
2 the offense is a felony; subdivision (i) or (j) of Section 289;
3 Section 647.6; or the statutory predecessor of any of these
4 offenses or any offense which, if committed or attempted
5 in this state, would have been punishable as one or more
6 of the offenses described in this section. This requirement
7 shall not be applied to a person whose duty to register has
8 been terminated pursuant to paragraph (5) of
9 subdivision (d) of Section 290, or to a person who has been
10 relieved of his or her duty to register under Section 290.5.

11 (2) The information shall be categorized by
12 community of residence and ZIP Code. The information
13 shall include the names and known aliases of the person,
14 photograph, a physical description, gender, race, date of
15 birth, the criminal history, and the address, including ZIP
16 Code, in which the person resides, and any other
17 information that the Department of Justice deems
18 relevant, not including information that would identify
19 the victim.

20 (3) The department shall operate a “900” telephone
21 number that members of the public may call and inquire
22 whether a named individual is listed among those
23 described in this subdivision. The caller shall furnish his
24 or her first name, middle initial, and last name. The
25 department shall ascertain whether a named person
26 reasonably appears to be a person so listed and provide
27 the caller with the information described in paragraph
28 (2), except the department shall not disclose the name or
29 address of a listed person’s employer, or the street address
30 or criminal history of a person listed, except to disclose the
31 ZIP Code area in which the person resides and to describe
32 the specific crimes for which the registrant was required
33 to register. The department shall decide whether the
34 named person reasonably appears to be a person listed,
35 based upon information from the caller providing
36 information that shall include (A) an exact street address,
37 including apartment number, social security number,
38 California driver’s license or identification number, or
39 birth date along with additional information that may
40 include any of the following: name, hair color, eye color,



1 height, weight, distinctive markings, ethnicity; or (B) any
2 combination of at least six of the above listed
3 characteristics if an exact birth date or address is not
4 available. If three of the characteristics provided include
5 ethnicity, hair color, and eye color, a seventh identifying
6 characteristic shall be provided. Any information
7 identifying the victim by name, birth date, address, or
8 relation to the registrant shall be excluded by the
9 department.

10 (4) (A) On or before July 1, 1997, the department
11 shall provide a CD-ROM or other electronic medium
12 containing the information described in paragraph (2),
13 except the name or address of a listed person's employer,
14 or the listed person's street address and criminal history
15 other than the specific crimes for which the person was
16 required to register, for all persons described in
17 paragraph (1) of subdivision (a), and shall update and
18 distribute the CD-ROM or other electronic medium on a
19 monthly basis to the sheriff's department in each county,
20 municipal police departments of cities with a population
21 of more than 200,000, and each law enforcement agency
22 listed in subparagraph (I) of paragraph (1) of subdivision
23 (n) of Section 290. These law enforcement agencies may
24 obtain additional copies by purchasing a yearly
25 subscription to the CD-ROM or other electronic medium
26 from the Department of Justice for a yearly subscription
27 fee. The Department of Justice, the sheriff's departments,
28 and the municipal police departments of cities with a
29 population of more than 200,000 shall make, and the other
30 law enforcement agencies may make, the CD-ROM or
31 other electronic medium available for viewing by the
32 public in accordance with the following: The agency may
33 require that a person applying to view the CD-ROM or
34 other electronic medium express an articulable purpose
35 in order to have access thereto. The applicant shall
36 provide identification in the form of a California driver's
37 license or California identification card, showing the
38 applicant to be at least 18 years of age, and shall sign a
39 statement, on a form provided by the Department of
40 Justice, stating that the applicant is not a registered sex



1 offender, that he or she understands the purpose of the
2 release of information is to allow members of the public
3 to protect themselves and their children from sex
4 offenders, and he or she understands it is unlawful to use
5 information obtained from the CD-ROM or other
6 electronic medium to commit a crime against any
7 registrant or to engage in illegal discrimination or
8 harassment of any registrant. The signed statement shall
9 be maintained in a file in the designated law enforcement
10 agency's office.

11 (B) The records of persons requesting to view the
12 CD-ROM or other electronic medium are confidential,
13 except that a copy of the applications requesting to view
14 the CD-ROM or other electronic medium may be
15 disclosed to law enforcement agencies for law
16 enforcement purposes.

17 (C) Any information identifying the victim by name,
18 birth date, address, or relationship to the registrant shall
19 be excluded from the CD-ROM or other electronic
20 medium.

21 (5) (A) The income from the operation of the "900"
22 telephone number shall be deposited in the Sexual
23 Predator Public Information Account, which is hereby
24 established within the Department of Justice for the
25 purpose of the implementation of this section by the
26 Department of Justice, including all actual and
27 reasonable costs related to establishing and maintaining
28 the information described in subdivision (a) and the
29 CD-ROM or other electronic medium described in this
30 subdivision.

31 (B) The moneys in the Sexual Predator Public
32 Information Account shall consist of income from the
33 operation of the "900" telephone number program
34 authorized by this section, proceeds of the loan made
35 pursuant to Section 6 of the act adding this section, and
36 any other funds made available to the account by the
37 Legislature. Moneys in the account shall be available to
38 the Department of Justice upon appropriation by the
39 Legislature for the purpose specified in subparagraph
40 (A).



1 (C) When the “900” telephone number is called, a
2 preamble shall be played before charges begin to accrue.
3 The preamble shall run at least the length of time
4 required by federal law and shall provide the following
5 information:

6 (i) Notice that the caller’s telephone number will be
7 recorded.

8 (ii) The charges for use of the “900” telephone
9 number.

10 (iii) Notice that the caller is required to identify
11 himself or herself to the operator.

12 (iv) Notice that the caller is required to be 18 years of
13 age or older.

14 (v) A warning that it is illegal to use information
15 obtained through the “900” telephone number to commit
16 a crime against any registrant or to engage in illegal
17 discrimination or harassment against any registrant.

18 (vi) Notice that the caller is required to have the birth
19 date, California driver’s license or identification number,
20 social security number, address, or other identifying
21 information regarding the person about whom
22 information is sought in order to achieve a positive
23 identification of that person.

24 (vii) A statement that the number is not a crime
25 hotline and that any suspected criminal activity should be
26 reported to local authorities.

27 (viii) A statement that the caller should have a
28 reasonable suspicion that a person is at risk.

29 (D) The Department of Justice shall expend no more
30 than six hundred thousand dollars (\$600,000) per year
31 from any moneys appropriated by the Legislature from
32 the account.

33 (b) (1) Any person who uses information disclosed
34 pursuant to this section to commit a felony shall be
35 punished, in addition and consecutive to, any other
36 punishment, by a five-year term of imprisonment in the
37 state prison.

38 (2) Any person who, without authorization, uses
39 information disclosed pursuant to this section to commit
40 a misdemeanor shall be subject to, in addition to any other



1 penalty or fine imposed, a fine of not less than five
2 hundred dollars (\$500) and not more than one thousand
3 dollars (\$1,000).

4 (c) The record of the compilation of offender
5 information on each CD-ROM or other electronic
6 medium distributed pursuant to this section shall be used
7 only for law enforcement purposes and the public safety
8 purposes specified in this section and Section 290. This
9 record shall not be distributed or removed from the
10 custody of the law enforcement agency that is authorized
11 to retain it. Information obtained from this record shall be
12 disclosed to a member of the public only as provided in
13 this section or Section 290, or any other statute expressly
14 authorizing it.

15 Any person who copies, distributes, discloses, or
16 receives this record or information from it, except as
17 authorized by law, is guilty of a misdemeanor, punishable
18 by imprisonment in a county jail not to exceed six months
19 or by a fine not exceeding one thousand dollars (\$1,000),
20 or by both that imprisonment and fine. This subdivision
21 shall not apply to a law enforcement officer who makes
22 a copy as part of his or her official duties in the course of
23 a criminal investigation, court case, or as otherwise
24 authorized by subdivision (n) of Section 290. This
25 subdivision shall not prohibit copying information by
26 handwriting.

27 Notwithstanding Section 6254.5 of the Government
28 Code, disclosure of information pursuant to this section is
29 not a waiver of exemptions under Chapter 3.5
30 (commencing with Section 6250) of Title 1 of Division 7
31 of the Government Code and does not affect other
32 statutory restrictions on disclosure in other situations.

33 (d) Unauthorized removal or destruction of the
34 CD-ROM or other electronic medium from the offices of
35 any law enforcement agency is a misdemeanor,
36 punishable by imprisonment in a county jail not to exceed
37 one year, or by a fine not exceeding one thousand dollars
38 (\$1,000), or by both that imprisonment and fine.



1 (e) (1) A person is authorized to use information
2 disclosed pursuant to this section only to protect a person
3 at risk.

4 This section shall not affect authorized access to, or use
5 of, information pursuant to, among other provisions,
6 Sections 11105 and 11105.3 of this code, Section 226.55 of
7 the Civil Code, Sections 777.5 and 14409.2 of the Financial
8 Code, Sections 1522.01 and 1596.871 of the Health and
9 Safety Code, and Section 432.7 of the Labor Code.

10 (2) Except as authorized under paragraph (1) or any
11 other provision of law, use of any information, for
12 purposes relating to any of the following, and that is
13 disclosed pursuant to this section, is prohibited:

- 14 (A) Health insurance.
- 15 (B) Insurance.
- 16 (C) Loans.
- 17 (D) Credit.
- 18 (E) Employment.
- 19 (F) Education, scholarships, or fellowships.
- 20 (G) Housing or accommodations.
- 21 (H) Benefits, privileges, or services provided by any
22 business establishment.

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

33 (B) Whenever there is reasonable cause to believe
34 that any person or group of persons is engaged in a
35 pattern or practice of misuse of the "900" telephone
36 number in violation of paragraph (2) of subdivision (e),
37 the Attorney General, any district attorney, or city
38 attorney, or any person aggrieved by the misuse of that
39 number is authorized to bring a civil action in the
40 appropriate court requesting preventive relief, including



1 an application for a permanent or temporary injunction,
2 restraining order, or other order against the person or
3 group of persons responsible for the pattern or practice
4 of misuse. The foregoing remedies shall be independent
5 of any other remedies or procedures that may be
6 available to an aggrieved party under other provisions of
7 law, including Part 2 (commencing with Section 43) of
8 Division 1 of the Civil Code.

9 (f) This section shall not be deemed to authorize the
10 publication, distribution, or disclosure of the address of
11 any person about whom information can be published,
12 distributed, or disclosed pursuant to this section.

13 (g) Community notification shall be governed by
14 subdivisions (m) and (n) of Section 290.

15 (h) The Department of Justice shall submit to the
16 Legislature an annual report on the operation of the
17 “900” telephone number required by paragraph (3) of
18 subdivision (a) on July 1, 1996, July 1, 1997, and July 1,
19 1998. The annual report shall include all of the following:

20 (1) Number of calls received.

21 (2) Amount of income earned per year through
22 operation of the “900” telephone number.

23 (3) A detailed outline of the amount of money
24 expended and the manner in which it was expended for
25 purposes of this section.

26 (4) Number of calls that resulted in an affirmative
27 response and the number of calls that resulted in a
28 negative response with regard to whether a named
29 individual was listed pursuant to subdivision (a).

30 (5) Number of persons listed pursuant to subdivision
31 (a).

32 (6) A summary of the success of the “900” telephone
33 number program based upon selected factors.

34 (i) Any law enforcement agency and employees of any
35 law enforcement agency shall be immune from liability
36 for good faith conduct under this section. For the
37 purposes of this section, “law enforcement agency”
38 means the Attorney General of California, every district
39 attorney, and every state or local agency expressly



1 authorized by statute to investigate or prosecute law
2 violators.

3 (j) On or before July 1, 2000, the Department of Justice
4 shall make a report to the Legislature concerning the
5 changes to the operation of the “900” telephone number
6 program made by the amendments to this section by
7 Chapter 908 of the Statutes of 1996. The report shall
8 include all of the following:

9 (1) Number of calls received by county.

10 (2) Number of calls that resulted in an affirmative
11 response and the number of calls that resulted in a
12 negative response with regard to whether a named
13 individual was listed pursuant to subdivision (a).

14 (3) Number of persons listed pursuant to subdivision
15 (a).

16 (4) Statistical information concerning prosecutions of
17 persons for misuse of the “900” telephone number
18 program, including the outcomes of those prosecutions.

19 (5) A summary of the success of the “900” telephone
20 number based upon selected factors.

21 (k) The registration and public notification provisions
22 of this section are applicable to every person described in
23 these sections, without regard to when his or her crimes
24 were committed or his or her duty to register pursuant to
25 this section arose, and to every offense described in these
26 sections, regardless of when it was committed.

27 (l) No later than December 31, 1998, the Department
28 of Justice shall prepare an informational pamphlet that
29 shall be mailed to any member of the public who makes
30 an inquiry using the “900” telephone number required by
31 this section and who provides an address. The pamphlet
32 shall provide basic information concerning appropriate
33 steps parents, guardians, and other responsible adults can
34 take to ensure a child is safe from a suspected child
35 molester, including, but not limited to, how to identify
36 suspicious activity by an adult, common facts and myths
37 about child molesters, and how to obtain additional help
38 and information. A notice to callers to the “900”
39 telephone number that they will receive the pamphlet,



1 if an address is provided, shall be included in the
2 preamble required by this section.

3 ~~(m) This section shall remain operative only until~~
4 ~~January 1, 2001, and as of that date is repealed unless a~~
5 ~~later enacted statute, which becomes effective on or~~
6 ~~before that date, deletes or extends that date.~~

7 *SEC. 2. Section 294.5 is added to the Penal Code, to*
8 *read:*

9 *294.5. (a) (1) The Department of Justice shall*
10 *establish and maintain a publicly accessible Internet*
11 *directory of information relating to persons who are*
12 *required to register under Section 290 for a conviction of*
13 *any offense specified in paragraph (1) of subdivision (a)*
14 *of Section 290.4 on or after January 1, 1998.*

15 *(2) Access to the Internet directory of information*
16 *specified in paragraph (1) shall be available only by*
17 *means of an application process and an applicant shall*
18 *only be granted access to information concerning a*
19 *registered sex offender who resides within the same ZIP*
20 *Code area in which the applicant resides. The*
21 *Department of Justice shall receive on-line applications*
22 *specifying certain information, including, but not limited*
23 *to, the applicant's name and age, a California address, and*
24 *the reason or basis for the applicant's need to view the*
25 *Internet directory. The department shall screen*
26 *applicants against the data base of sex offenders and shall*
27 *create an account for eligible applicants. The department*
28 *shall mail a Personal Identification Number (PIN) or*
29 *password to each qualified applicant. Applicants may use*
30 *the PIN or password to access an approved account on*
31 *line in order to view the Internet sex offender directory.*
32 *The department shall develop application criteria*
33 *consistent with the current criteria for viewing the*
34 *CD-ROM directory of sex offenders.*

35 *(b) The Attorney General shall include in each file in*
36 *the directory specified information about registered*
37 *offenders, including the offender's name, photograph,*
38 *gender, skin color, hair color, eye color, height, weight,*
39 *date of birth, any scars, tattoos, or other distinguishing*
40 *marks, and the city, county, and ZIP Code in which the*



1 registered offender resides. Under no circumstances shall
2 the file contain the street name or number of the address
3 at which the registered offender resides.

4 (c) The department shall keep confidential, and not
5 enter into the directory, information regarding any
6 person for which the Attorney General has determined
7 that disclosure pursuant to this section would endanger
8 the safety of a person involved in an investigation or the
9 successful completion of the investigation or a related
10 investigation.

11 (d) (1) Any person who uses the information
12 disclosed pursuant to this section to commit any crime
13 shall be punished, in addition and consecutive to any
14 other punishment for that crime, by a fine of not less than
15 ten thousand dollars (\$10,000) and not more than one
16 hundred thousand dollars (\$100,000).

17 (2) Any person who discloses, distributes,
18 disseminates, or publishes his or her individual Personal
19 Identification Number (PIN) issued pursuant to this
20 section to another person shall be punished by a fine of
21 not less than twenty-five hundred dollars (\$2,500), and
22 not more than ten thousand dollars (\$10,000).

23 (3) Except as authorized by other provisions of law,
24 the use of any information, that is disclosed pursuant to
25 this section, for purposes relating to any of the following,
26 is prohibited:

27 (A) Health insurance.

28 (B) Insurance.

29 (C) Loans.

30 (D) Credit.

31 (E) Employment.

32 (F) Education, scholarships, or fellowships.

33 (G) Housing or accommodations.

34 (H) Benefits, privileges, or services provided by any
35 business establishment.

36 (4) Any use of information disclosed except as
37 authorized by other provisions of law shall make the user
38 liable for the actual damages, and any other amount that
39 may be determined by a jury or a court sitting without a
40 jury, not exceeding three times the amount of actual



1 damages, and not less than two hundred fifty dollars
2 (\$250), and attorney's fees, exemplary damages, or a civil
3 penalty not exceeding twenty-five thousand dollars
4 (\$25,000).

5 (5) Notwithstanding any other provision of law, fines
6 assessed under paragraph (1) shall be allocated in the
7 following manner by the county victim services agency
8 or the county agency providing services to victims:

9 (A) Fifty percent shall be allocated to nonprofit
10 entities within the county where the crime was
11 committed who specialize in the long-term care and
12 treatment of children who are victims of sexual offenses.

13 (B) Fifty percent shall be allocated to temporary
14 shelters for abused children within the county where the
15 crime was committed.

16 SEC. 3. No reimbursement is required by this act
17 pursuant to Section 6 of Article XIII B of the California
18 Constitution for certain costs that may be incurred by a
19 local agency or school district because in that regard this
20 act creates a new crime or infraction, eliminates a crime
21 or infraction, or changes the penalty for a crime or
22 infraction, within the meaning of Section 17556 of the
23 Government Code, or changes the definition of a crime
24 within the meaning of Section 6 of Article XIII B of the
25 California Constitution.

26 However, notwithstanding Section 17610 of the
27 Government Code, if the Commission on State Mandates
28 determines that this act contains other costs mandated by
29 the state, reimbursement to local agencies and school
30 districts for those costs shall be made pursuant to Part 7
31 (commencing with Section 17500) of Division 4 of Title
32 2 of the Government Code. If the statewide cost of the
33 claim for reimbursement does not exceed one million
34 dollars (\$1,000,000), reimbursement shall be made from
35 the State Mandates Claims Fund.

36 ~~conduct a study regarding the feasibility of establishing~~
37 ~~and maintaining a publicly accessible Internet directory~~
38 ~~of information relating to persons convicted of any~~
39 ~~offense specified in paragraph (1) of subdivision (a) of~~



1 ~~Section 290.4 of the Penal Code, on or after January 1,~~
2 ~~1998.~~

3 ~~(b) The study shall include an evaluation of states,~~
4 ~~including, but not limited to, Alaska, Florida, Indiana, and~~
5 ~~Oregon, that currently use the Internet to notify the~~
6 ~~public regarding sex offenders. Specifically, the study~~
7 ~~shall determine:~~

8 ~~(1) What information regarding the offender is posted~~
9 ~~on the Internet by other states, including, but not limited~~
10 ~~to, whether the offender's name, address, picture, date of~~
11 ~~birth, physical description, and the crime committed are~~
12 ~~posted.~~

13 ~~(2) What procedures are employed by other states in~~
14 ~~establishing and maintaining a publicly accessible~~
15 ~~Internet directory, including, but not limited to, whether~~
16 ~~different amounts of information are posted depending~~
17 ~~on the nature of the offense, or the number of offenses~~
18 ~~committed.~~

19 ~~(3) What procedures are employed by other states~~
20 ~~regarding what persons or other entities have access to~~
21 ~~the Internet directory, including, but not limited to,~~
22 ~~whether the directory is available by subscription, is~~
23 ~~access restricted by residency, and does the subscriber or~~
24 ~~person or entity seeking to access the directory have to~~
25 ~~provide identification.~~

26 ~~(4) What procedures are employed by the other states~~
27 ~~to guard against vigilantism, or other misuse of the~~
28 ~~information, and what restrictions exist regarding the use~~
29 ~~of the information available in the directory.~~

30 ~~(5) The study shall include an analysis of the legal~~
31 ~~impact of posting the Internet directory on California's~~
32 ~~version of 'Megan's Law' as embodied in Sections 290 and~~
33 ~~290.4 of the Penal Code.~~

34 ~~(c) The study shall be reported to the Legislature no~~
35 ~~later than January 1, 2002.~~

