

1 SB195
2 189528-1
3 By Senators Ward and Shelnutt
4 RFD: Judiciary
5 First Read: 18-JAN-18

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8 SYNOPSIS: Under existing law, community notification
9 of sex offenders requires a flyer be mailed or hand
10 delivered to required residences. The existing law
11 also provides any other method reasonably expected
12 to provide notification may be utilized.

13 This bill would further authorize local law
14 enforcement to post public notices on the property
15 where adult sex offenders who are subject to
16 community notification reside.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

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22 To amend Section 15-20A-21, Code of Alabama 1975, as
23 last amended by Act 2017-414, 2017 Regular Session, relating
24 to sex offenders; to authorize local law enforcement to post
25 public notices on the property where adult sex offenders who
26 are subject to community notification reside.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 15-20A-1, Code of Alabama 1975,
2 as last amended by Act 2017-414, 2017 Regular Session, is
3 amended to read as follows:

4 "§15-20A-21.

5 "(a) Immediately upon the release of an adult sex
6 offender or immediately upon notice of where the adult sex
7 offender plans to establish, or has established a fixed
8 residence, the following procedures shall apply:

9 "(1) In the Cities of Birmingham, Mobile,
10 Huntsville, and Montgomery, the chief of police shall notify
11 all persons who have a legal residence within 1,000 feet of
12 the declared fixed residence of the adult sex offender and all
13 schools and childcare facilities within three miles of the
14 declared fixed residence of the adult sex offender that the
15 adult sex offender will be establishing or has established as
16 his or her fixed residence.

17 "(2) In all other cities in Alabama with a resident
18 population of 5,000 or more, the chief of police, or if none,
19 then the sheriff of the county, shall notify all persons who
20 have a legal residence within 1,500 feet of the declared fixed
21 residence of the adult sex offender and all schools and
22 childcare facilities within three miles of the declared fixed
23 residence of the adult sex offender that the adult sex
24 offender will be establishing or has established his or her
25 fixed residence.

26 "(3) In all other municipalities with a resident
27 population of less than 5,000, and in all unincorporated

1 areas, the sheriff of the county in which the adult sex
2 offender intends to reside shall notify all persons who have a
3 legal residence within 2,000 feet of the declared fixed
4 residence of the adult sex offender and all schools and
5 childcare facilities within three miles of the declared fixed
6 residence of the adult sex offender that the adult sex
7 offender will be establishing or has established as his or her
8 fixed residence.

9 "(b) A community notification flyer shall be made by
10 regular mail or hand delivered to all legal residences
11 required by this section and include registration information
12 pursuant to Section 15-20A-8. In addition, any other method
13 reasonably expected to provide notification may be utilized,
14 including, but not limited to, posting a copy of the notice in
15 a prominent place at the office of the sheriff and at the
16 police station closest to the declared fixed residence of the
17 released adult sex offender, publicizing the notice in a local
18 newspaper, posting electronically, including the Internet,
19 posting a public notice on the property where the adult sex
20 offender resides, or other means available.

21 "(c) Nothing in this chapter shall be construed as
22 prohibiting the Secretary of the Alabama State Law Enforcement
23 Agency, a sheriff, or a chief of police from providing
24 community notification under the provisions of this chapter by
25 regular mail, electronically, or by publication or
26 periodically to persons whose legal residence is within the

1 guidelines of this chapter or more than the applicable
2 distance from the residence of an adult sex offender.

3 "(d) When a homeless adult sex offender who lacks a
4 fixed residence registers pursuant to Section 15-20A-12,
5 notification shall be provided by posting a copy of the notice
6 in a prominent place at the office of the sheriff and at the
7 police station closest to the declared residence of the
8 released adult sex offender, publicizing the notice in a local
9 newspaper, or posting the notice electronically, including the
10 Internet or other means available."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.