

Chapter 15: RULES RELATING TO THE SEX OFFENDER REGISTRATION AND NOTIFICATION ACT OF 2013 (34-A MRSA c.17)

15.01 DEFINITIONS:

- A. Bureau. "Bureau" means the Maine State Bureau of Identification.
- B. Initial registration date. "Initial registration date" means the date the initial registration form is received at the Bureau after the registrant has the duty to register. If the initial registration form is received on the 29th, 30th, or 31st day of the month, the initial registration date will be considered the first day of the following month.
- C. Passport photograph. "Passport photograph" means a photograph described as a full faced, chest up, unmounted, color photograph not larger than 2 ¾ x 2 ½ inches and not less than 2 x 2 inches with a white or off-white background and a space showing above the person's head. The picture can not have features obscured, including but not limited to wearing a hat, sunglasses, or bandana. The photograph must have been taken not more than six (6) months prior to submission.
- D. Registrant. "Registrant" means a Tier I registrant, Tier II registrant or Tier III registrant.
- E. SORNA 2013. "SORNA 2013" means the Sex Offender Registration and Notification Act of 2013 (34-A MRSA c. 17).
- F. Verification due date. "Verification due date" means:
 - 1. The verification due date for a Tier I registrant is every year on the anniversary of the initial registration date.
 - 2. The verification due date for a Tier II registrant is semi-annually (every 6 months) from the initial registration date.
 - 3. The verification due date for a Tier III registrant is quarterly (every 3 months) from the initial registration date.

The verification due date is calculated from the initial registration date and not the date the last verification was received.

15.02 RULES RELATING TO SORNA 2013

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- A. A photograph submitted under this Act for the maintenance of the Sex Offender Registry by a person convicted of a Tier I, Tier II or Tier III-offense must meet the definition of a passport photograph described in this rule.
- B. Pursuant to 34-A M.R.S. § 11285(8), the Bureau may suspend a Registrant's obligation to verify if the Bureau receives reliable information that the person is incarcerated. A person whose verification duties have been suspended under this Rule must notify the Bureau and local law enforcement on release from incarceration in accordance with 34-A M.R.S. § 11282(8).
- C. Pursuant to 34-A M.R.S. § 11285(8), the Bureau may suspend a Registrant's obligation to verify if:
 - 1. The Bureau has received from the Registrant a signed notice indicating a change of domicile or residence to another state;
 - 2. The Registrant shows proof of registration in the other state;
 - 3. The Registrant will be physically absent from the State of Maine for 90 days; and
 - 4. The Registrant has previously complied with obligations under SORNA.

A person whose verification duties have been suspended under this Rule must notify the Bureau and local law enforcement on return to the State in accordance with 34-A M.R.S. § 11282(8).

- D. Pursuant to 34-A M.R.S. § 11285(8), the Bureau may suspend a Registrant's obligation to verify in person if:
 - 1. The Bureau has received from the Registrant a signed notice indicating a change of domicile or residence to another state;
 - 2. The Registrant will be physically absent from the State of Maine for 90 days;
 - 3. The Registrant has previously complied with obligations under SORNA; and
 - 4. The Registrant shows proof that registration is not required in the other State.

Then the Bureau may allow verification in writing, provided that verification by the Registrant is done in person every five years.

A person whose verification duties have been suspended under this Rule must notify the Bureau and local law enforcement on return to the State in accordance with 34-A M.R.S. § 11282(8).

BASIS STATEMENT

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This new regulation will assist the Maine State Police, State Bureau of Identification more effectively administer the Sex Offender Registration and Notification Act of 2013.