



SPONSOR: Rep. Spence & Sen. Blevins

HOUSE OF REPRESENTATIVES
144th GENERAL ASSEMBLY

HOUSE BILL NO. 485

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEXUAL OFFENDERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 4120(d)(2), Title 11 of the Delaware Code by deleting the period “(.)” at the end of the
2 second sentence and inserting in lieu thereof the phrase “, including any watercraft or aircraft with the locations where such
3 vehicles are docked, parked or otherwise stored, copies of his passport, any licenses to engage in an occupation or to carry
4 out a trade or business, and the offender’s home telephone number and any cellular telephone numbers.”.

5 Section 2. Amend § 4120(e)(1), Title 11 of the Delaware Code by adding the phrase “, or any foreign
6 government,” between the phrase “United States” and the word “which”.

7 Section 3. Amend § 4120(e)(2), Title 11 of the Delaware Code by adding the phrase “, or any foreign
8 government,” between the phrase “United States” and the word “which”.

9 Section 4. Amend § 4121(a)(3), Title 11 of the Delaware Code by deleting the phrase “convicted after June 27,
10 1994, who is subject to the registration requirements of § 4120 of this Title” and inserting in lieu thereof the phrase
11 “who has been convicted”.

12 Section 5. Amend § 4121(a)(4)a., Title 11 of the Delaware Code by deleting the phrase “after June 27, 1994”.

13 Section 6. Further Amend § 4121(a)(4)a., Title 11 of the Delaware Code by deleting the phrase “or § 1353(2)”
14 and inserting in lieu thereof the phrase “, § 1353(2) or § 1361(b)”.

15 Section 7. Amend § 4121(a)(4)b., Title 11 of the Delaware Code by deleting the phrase “after June 27, 1994”.

16 Section 8. Amend § 4121(a)(4)c., Title 11 of the Delaware Code by deleting the phrase “after June 27, 1994,” and
17 by adding the phrase “, or any foreign government,” between the phrase “United States” and the word “which”.

18 Section 9. Amend § 4121(a)(4)d., Title 11 of the Delaware Code by deleting the phrase “after September 1,
19 1998”.

20 Section 10. Amend § 4121(a)(4)e., Title 11 of the Delaware Code by deleting the phrase “, such guilty plea
21 occurring after September 1, 1998”.

22 Section 11. Amend § 4121(a)(4)f., Title 11 of the Delaware Code by deleting the phrase “on or before June 27,
23 1994.”.

24 Section 12. Further Amend § 4121(a)(4)f., Title 11 of the Delaware Code by deleting the phrase “and who is as of
25 September 1, 1998, serving a sentence or probation or parole as part of the sentence imposed for such conviction; who
26 thereafter is deemed by a court of competent jurisdiction to have violated the terms or conditions of that person’s probation
27 or parole; and who is thereafter designated as a sex offender by the sentencing judge pursuant to subsection (e) of this
28 Section”.

29 Section 13. Amend § 4121(d)(1)a., Title 11 of the Delaware Code by adding the phrase “or was without consent,”
30 between the words “violence” and the phrase “Unlawful Sexual Contact”.

31 Section 14. Amend § 4121(d)(1)d., Title 11 of the Delaware Code by deleting the word “or” and inserting in lieu
32 thereof a comma “(,)”.

33 Section 15. Further Amend § 4121(d)(1)d., Title 11 of the Delaware Code by adding the phrase “or any foreign
34 government,” between the phrase “United States” and the word “which”.

35 Section 16. Amend § 4121(d)(2)a., Title 11 of the Delaware Code by adding the phrase “Possession of Child
36 Pornography, Providing Obscene Materials to a Person Under the age of 18,” between the phrase “Pornography,” and the
37 word “Sexual”.

38 Section 17. Amend § 4121(d)(2)c., Title 11 of the Delaware Code by deleting the word “or” and inserting in lieu
39 thereof a comma “(,)”.

40 Section 18. Further Amend § 4121(d)(2)c., Title 11 of the Delaware Code by adding the phrase “or any foreign
41 government,” between the phrase “United States” and the word “which”.

42 Section 19. Amend § 4121(d)(5), Title 11 of the Delaware Code by adding the word “who” between the word
43 “and” and the word “is”.

44 Section 20. Amend § 4121(d)(6)b., Title 11 of the Delaware Code by adding the phrase “, or any offense in a
45 foreign jurisdiction” between the phrase “United States” and the word “which”.

46 Section 21. Amend § 4121(j), Title 11 of the Delaware Code by deleting the phrase “after June 17, 1994,”.

47 Section 22. Amend § 4121(k), Title 11 of the Delaware Code by adding the sentence “‘Homeless persons’ must
48 report their habitual locale, park or locations during the day and night, public buildings, restaurants, and libraries
49 frequented.” after the first sentence of this subsection.

50 Section 23. Further Amend § 4121(k), Title 11 of the Delaware Code by adding the phrase “for seven (7) or more
51 days” between the word “residence” and the period “(,)”.

52 Section 24. Amend § 4121(s) by deleting said Section in its entirety and inserting in lieu thereof the following:

53 “(s) Subject to § 4122 of this Title, this Section shall apply to all persons convicted.”.

54 Section 25. Amend § 4122(a) by deleting said Section in its entirety and inserting in lieu thereof the following:

55 “(a) Section 4121 of this Title shall be retroactively applicable to any person convicted of a
56 registering offense.”.

SYNOPSIS

This Bill amends the Adam Walsh Act to require sex offenders who were convicted of a sexual offense in a jurisdiction outside of the State of Delaware or sex offenders who were convicted of a sexual offense prior to the enactment of Megan’s Law to comply with the provisions under § 4120, Title 11 of the Delaware Code.