

SENATE BILL NO. 424

June 12, 2025, Introduced by Senator SINGH and referred to Committee on Government Operations.

A bill to amend 1994 PA 295, entitled
"Sex offenders registration act,"
by amending sections 4, 5, and 8c (MCL 28.724, 28.725, and
28.728c), sections 4 and 5 as amended by 2020 PA 295 and section 8c
as amended by 2011 PA 18.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 4. (1) Registration of an individual under this act must
- 2 proceed as provided in this section.
- 3 (2) For an individual convicted of a listed offense on or

1 before October 1, 1995 who on or before October 1, 1995 is
2 sentenced for that offense, has a disposition entered for that
3 offense, or is assigned to youthful trainee status for that
4 offense, the following shall register the individual by December
5 31, 1995:

6 (a) If the individual is on probation for the listed offense,
7 the individual's probation agent.

8 (b) If the individual is committed to jail for the listed
9 offense, the sheriff or ~~his or her~~ **the sheriff's** designee.

10 (c) If the individual is under the jurisdiction of the
11 department of corrections for the listed offense, the department of
12 corrections.

13 (d) If the individual is on parole for the listed offense, the
14 individual's parole agent.

15 (e) If the individual is within the jurisdiction of the
16 juvenile division of the probate court or the department of ~~social~~
17 **health and human** services under an order of disposition for the
18 listed offense, the juvenile division of the probate court or the
19 department of ~~social~~ **health and human** services.

20 (3) Except as provided in subsection (4), for an individual
21 convicted of a listed offense on or before October 1, 1995:

22 (a) If the individual is sentenced for that offense after
23 October 1, 1995 or assigned to youthful trainee status after
24 October 1, 1995, the probation agent shall register the individual
25 before sentencing or assignment.

26 (b) If the individual's probation or parole is transferred to
27 this state after October 1, 1995, the probation or parole agent
28 shall register the individual not more than 7 days after the
29 transfer.

1 (c) If the individual is placed within the jurisdiction of the
2 juvenile division of the probate court or family division of
3 circuit court or committed to the department of health and human
4 services under an order of disposition entered after October 1,
5 1995, the juvenile division of the probate court or family division
6 of circuit court shall register the individual before the order of
7 disposition is entered.

8 (4) For an individual convicted on or before September 1, 1999
9 of an offense that was added on September 1, 1999 to the definition
10 of listed offense, the following shall register the individual:

11 (a) If the individual is on probation or parole on September
12 1, 1999 for the listed offense, the individual's probation or
13 parole agent not later than September 12, 1999.

14 (b) If the individual is committed to jail on September 1,
15 1999 for the listed offense, the sheriff or ~~his or her~~ **the**
16 **sheriff's** designee not later than September 12, 1999.

17 (c) If the individual is under the jurisdiction of the
18 department of corrections on September 1, 1999 for the listed
19 offense, the department of corrections not later than November 30,
20 1999.

21 (d) If the individual is within the jurisdiction of the family
22 division of circuit court or committed to the department of health
23 and human services or county juvenile agency on September 1, 1999
24 under an order of disposition for the listed offense, the family
25 division of circuit court, the department of health and human
26 services, or the county juvenile agency not later than November 30,
27 1999.

28 (e) If the individual is sentenced or assigned to youthful
29 trainee status for that offense after September 1, 1999, the

1 probation agent shall register the individual before sentencing or
2 assignment.

3 (f) If the individual's probation or parole for the listed
4 offense is transferred to this state after September 1, 1999, the
5 probation or parole agent shall register the individual ~~within~~**not**
6 **more than** 14 days after the transfer.

7 (g) If the individual is placed within the jurisdiction of the
8 family division of circuit court or committed to the department of
9 health and human services for the listed offense after September 1,
10 1999, the family division of circuit court shall register the
11 individual before the order of disposition is entered.

12 (5) Subject to section 3, an individual convicted of a listed
13 offense in this state after October 1, 1995 and an individual who
14 was previously convicted of a listed offense for which ~~he or she~~
15 **the individual** was not required to register under this act, but who
16 is convicted of any other felony on or after July 1, 2011, shall
17 register before sentencing, entry of the order of disposition, or
18 assignment to youthful trainee status for that listed offense or
19 that other felony. The probation agent or the family division of
20 circuit court shall give the individual the registration form after
21 the individual is convicted, explain the duty to register and
22 accept the completed registration for processing under section 6.
23 The court shall not impose sentence, enter the order of
24 disposition, or assign the individual to youthful trainee status,
25 until it determines that the individual's registration was
26 forwarded to the department as required under section 6.

27 (6) All of the following shall register with the local law
28 enforcement agency, sheriff's department, or the department not
29 more than 3 business days after becoming domiciled or temporarily

1 residing, working, or being a student in this state:

2 (a) Subject to section 3(1), an individual convicted in
3 another state or country on or after October 1, 1995 of a listed
4 offense as defined before September 1, 1999.

5 (b) Subject to section 3(2), an individual convicted in
6 another state or country of an offense added on September 1, 1999
7 to the definition of listed offenses.

8 (c) Subject to section 3(1), an individual convicted in
9 another state or country of a listed offense before October 1, 1995
10 and, subject to section 3(2), an individual convicted in another
11 state or country of an offense added on September 1, 1999 to the
12 definition of listed offenses, who is convicted of any other felony
13 on or after July 1, 2011.

14 (d) An individual required to be registered as a sex offender
15 in another state or country regardless of when the conviction was
16 entered.

17 (7) If a prosecution or juvenile proceeding is pending on July
18 1, 2011, whether the defendant in a criminal case or the minor in a
19 juvenile proceeding is required to register under this act must be
20 determined on the basis of the law in effect on July 1, 2011.

21 **(8) An individual who is domiciled, temporarily residing,**
22 **working, or studying in this state, who is either required to**
23 **register as a sex offender under a comparable statute of another**
24 **state or the United States or has been convicted of an offense that**
25 **is substantially similar to a registerable offense in this state,**
26 **must be notified by the department via first-class mail that the**
27 **individual may be required to register in this state. The**
28 **individual must be provided the opportunity to petition the circuit**
29 **court where the individual resides, works, or studies to determine**

1 whether the individual is required to register in this state and,
2 if so, what the individual's registration obligations are under
3 this act.

4 (9) A petition filed under subsection (8) must proceed under
5 section 8c(4).

6 (10) An individual who files a petition under subsection (8)
7 must not be required to register until the petition is decided by
8 the circuit court.

9 (11) An individual who is notified by the department that the
10 individual may have to register in this state based on an out-of-
11 state conviction or a federal conviction who fails to petition the
12 circuit court within 30 days of receipt of the notification is
13 considered to have waived judicial review of the individual's
14 requirements to register in this state. If an individual waives
15 judicial review, the department shall determine the individual's
16 registration requirements.

17 Sec. 5. (1) The requirements of this subsection apply only to
18 an individual required to be registered under this act after July
19 1, 2011. The requirements of this subsection do not apply to an
20 individual required to be registered before July 1, 2011. An
21 individual required to be registered under this act who is a
22 resident of this state **and to whom this subsection applies** shall
23 report in person, or in another manner as prescribed by the
24 department, and notify the registering authority having
25 jurisdiction where ~~his or her~~ **the individual's** residence or
26 domicile is located not more than 3 business days after any of the
27 following occur:

28 (a) The individual changes or vacates ~~his or her~~ **the**
29 **individual's** residence or domicile.

1 (b) The individual changes ~~his or her~~ **the individual's** place
2 of employment, or employment is discontinued.

3 (c) The individual enrolls as a student with an institution of
4 higher education, or enrollment is discontinued.

5 (d) The individual changes ~~his or her~~ **the individual's** name.

6 (e) Any change required to be reported under section 4a.

7 (2) An individual required to be registered under this act who
8 is a resident of this state shall report in the manner prescribed
9 by the department to the registering authority having jurisdiction
10 where ~~his or her~~ **the individual's** residence or domicile is located
11 not more than 3 business days after any of the following occur:

12 (a) Except as otherwise provided in this subdivision, any
13 change in vehicle information, electronic mail addresses, internet
14 identifiers, or telephone numbers registered to or used by the
15 individual. The requirement to report any change in ~~electronic mail~~
16 **email** addresses and internet identifiers applies only to an
17 individual required to be registered under this act after July 1,
18 2011.

19 (b) The individual intends to temporarily reside at any place
20 other than ~~his or her~~ **the individual's** residence for more than 7
21 days. **The requirement to report any change in temporary residence**
22 **applies only to an individual required to be registered under this**
23 **act after July 1, 2011.**

24 (3) An individual required to be registered under this act,
25 who is not a resident of this state but has ~~his or her~~ **the**
26 **individual's** place of employment in this state shall report in
27 person and notify the registering authority having jurisdiction
28 where ~~his or her~~ **the individual's** place of employment is located or
29 the department post of the individual's place of employment not

1 more than 3 business days after the individual changes ~~his or her~~
2 **the individual's** place of employment or employment is discontinued.
3 **The requirement to report any change in place of employment applies**
4 **only to an individual required to be registered under this act**
5 **after July 1, 2011.**

6 (4) If an individual who is incarcerated in a state
7 correctional facility and is required to be registered under this
8 act is granted parole or is due to be released ~~upon~~**on** completion
9 of ~~his or her~~**the individual's** maximum sentence, the department of
10 corrections, before releasing the individual, shall provide notice
11 of the location of the individual's proposed place of residence or
12 domicile to the department of state police.

13 (5) If an individual who is incarcerated in a county jail and
14 is required to be registered under this act is due to be released
15 from custody, the sheriff's department, before releasing the
16 individual, shall provide notice of the location of the
17 individual's proposed place of residence or domicile to the
18 department of state police.

19 (6) Not more than 7 days after either of the following occurs,
20 the department of corrections shall notify the local law
21 enforcement agency or sheriff's department having jurisdiction over
22 the area to which the individual is transferred or the department
23 post of the transferred residence or domicile of an individual
24 required to be registered under this act:

25 (a) The individual is transferred to a community residential
26 program.

27 (b) The individual is transferred into a level 1 correctional
28 facility of any kind, including a correctional camp or work camp.

29 (7) An individual required to be registered under this act who

1 is a resident of this state shall report in person and notify the
2 registering authority having jurisdiction where ~~his or her~~ **the**
3 **individual's** residence or domicile is located not more than 3
4 business days before ~~he or she~~ **the individual** changes ~~his or her~~
5 **the individual's** domicile or residence to another state. The
6 individual shall indicate the new state and, if known, the new
7 address. The department shall update the registration and
8 compilation databases and promptly notify the appropriate law
9 enforcement agency and any applicable sex or child offender
10 registration authority in the new state.

11 (8) An individual required to be registered under this act,
12 who is a resident of this state, shall report in person and notify
13 the registering authority having jurisdiction where ~~his or her~~ **the**
14 **individual's** residence or domicile is located not later than 21
15 days before ~~he or she~~ **the individual** changes ~~his or her~~ **the**
16 **individual's** domicile or residence to another country or travels to
17 another country for more than 7 days. The individual shall state
18 the new country of residence or country of travel and the address
19 of ~~his or her~~ **the individual's** new domicile or residence or place
20 of stay, if known. The department shall update the registration and
21 compilation databases and promptly notify the appropriate law
22 enforcement agency and any applicable sex or child offender
23 registration authority.

24 (9) If the probation or parole of an individual required to be
25 registered under this act is transferred to another state or an
26 individual required to be registered under this act is transferred
27 from a state correctional facility to any correctional facility or
28 probation or parole in another state, the department of corrections
29 shall promptly notify the department and the appropriate law

1 enforcement agency and any applicable sex or child offender
2 registration authority in the new state. The department shall
3 update the registration and compilation databases.

4 (10) An individual registered under this act shall comply with
5 the verification procedures and proof of residence procedures
6 prescribed in sections 4a and 5a.

7 (11) Except as otherwise provided in this section and section
8 8c, a tier I offender shall comply with this section for 15 years.

9 (12) Except as otherwise provided in this section and section
10 8c, a tier II offender shall comply with this section for 25 years.

11 (13) ~~Except~~ **Unless the offense requiring registration was**
12 **committed before July 1, 2011, and except** as otherwise provided in
13 this section and section 8c, a tier III offender shall comply with
14 this section for life. **If the offense requiring registration was**
15 **committed before July 1, 2011, a tier III offender shall comply**
16 **with this section for 25 years after the date of initially**
17 **registering, or, if the individual is in a state correctional**
18 **facility, for 10 years after release from the state correctional**
19 **facility, whichever is longer.**

20 (14) The registration periods under this section exclude any
21 period of incarceration for committing a crime and any period of
22 civil commitment.

23 (15) For an individual who was previously convicted of a
24 listed offense for which ~~he or she~~ **the individual** was not required
25 to register under this act but who is convicted of any felony on or
26 after July 1, 2011, any period of time that ~~he or she~~ **the**
27 **individual** was not incarcerated for that listed offense or that
28 other felony and was not civilly committed counts toward satisfying
29 the registration period for that listed offense as described in

1 this section. If those periods equal or exceed the registration
2 period described in this section, the individual has satisfied ~~his~~
3 ~~or her~~ **the individual's** registration period for the listed offense
4 and is not required to register under this act. If those periods
5 are less than the registration period described in this section for
6 that listed offense, the individual shall comply with this section
7 for the period of time remaining.

8 (16) If an individual required to be registered under this act
9 presents an order to the department or the appropriate registering
10 authority that the conviction or adjudication for which the
11 individual is required to be registered under this act has been set
12 aside under 1965 PA 213, MCL 780.621 to 780.624, or has been
13 otherwise expunged, ~~his or her~~ **the individual's** registration under
14 this act must be discontinued. If this subsection applies, the
15 department shall remove the individual from both the law
16 enforcement database and the public internet website maintained
17 under section 8.

18 Sec. 8c. (1) An individual classified as a tier I offender who
19 meets the requirements of subsection ~~(12)~~ **(17)** may petition the
20 court under that subsection for an order allowing ~~him or her~~ **the**
21 **individual** to discontinue registration under this act.

22 (2) An individual classified as a tier III offender who meets
23 the requirements of subsection ~~(13)~~ **(18)** may petition the court
24 under that subsection for an order allowing ~~him or her~~ **the**
25 **individual** to discontinue registration under this act.

26 (3) An individual classified as a tier I, tier II, or tier III
27 offender who meets the requirements of subsection ~~(14)~~ **(19)** or ~~(15)~~
28 **(20)** may petition the court under that subsection for an order
29 allowing ~~him or her~~ **the individual** to discontinue registration

1 under this act.

2 (4) An individual who is either required to register as a sex
3 offender under a comparable statute of another state or the United
4 States, or an individual who has been convicted of an offense that
5 is substantially similar to a registerable offense in this state,
6 may petition the circuit court where the individual resides, works,
7 or studies to determine whether the individual is required to
8 register in this state and to determine what the individual's
9 registration obligations are under this act. An individual who
10 files a petition under this subsection shall serve a copy of the
11 petition on the department at the time of filing.

12 (5) The court shall consider both of the following in
13 determining whether an individual with an out-of-state offense must
14 register in this state, but shall not grant the petition if the
15 court determines that the individual is a continuing threat to the
16 public:

17 (a) Whether or not the legal elements of the registerable
18 offense in this state and the out-of-state offense are
19 substantially similar.

20 (b) Whether or not the individual is still required to
21 register in the jurisdiction of conviction.

22 (6) If the circuit court determines that an individual with an
23 out-of-state offense must register in this state because the out-
24 of-state offense is substantially similar to a registerable offense
25 in this state, the court must determine which tier the individual
26 is subject to registration under consistent with section 2.

27 (7) If the circuit court determines that there is no
28 substantially similar offense in this state, but the individual is
29 still required to register in the jurisdiction of conviction, the

1 court must determine which tier the individual is subject to
2 registration under consistent with section 2.

3 (8) In a hearing on a petition under subsection (4), the
4 prosecutor has the burden to prove, by a preponderance of the
5 evidence, that the individual's out-of-state offense is
6 substantially similar to a registerable offense in this state, or
7 that the individual is still required to register in the
8 jurisdiction of conviction. The petitioner may present evidence to
9 support the lack of similarity or lack of requirement to register
10 in the jurisdiction of conviction but may not contest the validity
11 of the out-of-state conviction.

12 (9) ~~(4)~~—This section is the sole means by which an individual
13 may obtain judicial review of ~~his or her~~ **the individual's**
14 registration requirements under this act. This subsection does not
15 prohibit an appeal of the conviction or sentence as otherwise
16 provided by law or court rule. **A—Except as provided in subsection**
17 **(4), a** petition filed under this section ~~shall~~ **must** be filed in the
18 court in which the individual was convicted of committing the
19 listed offense. However, if the conviction occurred in another
20 state or country and the individual ~~is a resident of~~ **resides,**
21 **works, or studies in** this state, the individual may file a petition
22 in the circuit court ~~in the county of his or her residence as~~
23 **provided under subsection (4)** for an order allowing ~~him or her~~ **the**
24 **individual** to discontinue registration under this act only. A
25 petition ~~shall~~ **may** not be filed under this section if a previous
26 petition was filed under this section and was denied by the court
27 after a hearing.

28 (10) ~~(5)~~—A petition filed under this section ~~shall~~ **must** be
29 made under oath and ~~shall~~ **must** contain all of the following:

1 (a) The name and address of the petitioner.

2 (b) A statement identifying the offense for which
3 discontinuation from registration **or determination of registration**
4 **obligations for an out-of-state offense** is being requested.

5 (c) A statement of whether the individual was previously
6 convicted of a listed offense for which registration is required
7 under this act.

8 **(11)** ~~(6)~~—An individual who knowingly makes a false statement
9 in a petition filed under this section is guilty of perjury as
10 proscribed under section 423 of the Michigan penal code, 1931 PA
11 328, MCL 750.423.

12 **(12)** ~~(7)~~—A copy of the petition ~~shall~~**must** be filed with the
13 office of the prosecuting attorney that prosecuted the case against
14 the individual or, for a conviction that occurred in another state
15 or country, the prosecuting attorney for the county of ~~his or her~~
16 **the individual's** residence, ~~at least~~**not less than** 30 days before a
17 hearing is held on the petition. The prosecuting attorney may
18 appear and participate in all proceedings regarding the petition
19 and may seek appellate review of any decision on the petition.

20 **(13)** ~~(8)~~—If the name of the victim of the offense is known by
21 the prosecuting attorney, the prosecuting attorney shall provide
22 the victim with written notice that a petition has been filed and
23 shall provide the victim with a copy of the petition. The notice
24 ~~shall~~**must** be sent by first-class mail to the victim's last known
25 address. The petition ~~shall~~**must** include a statement of the
26 victim's rights under subsection ~~(10)~~**(15)**.

27 **(14)** ~~(9)~~—If an individual properly files a petition with the
28 court under this section, the court shall conduct a hearing on the
29 petition as provided in this section.

1 **(15)** ~~(10)~~—The victim has the right to attend all proceedings
 2 under this section and to make a written or oral statement to the
 3 court before any decision regarding the petition is made. A victim
 4 ~~shall~~**must** not be required to appear at any proceeding under this
 5 section against ~~his or her~~**the victim's** will.

6 **(16)** ~~(11)~~—The court shall consider all of the following in
 7 determining whether to allow the individual to discontinue
 8 registration under subsection ~~(12) or (13)~~**(17) or (18)** but shall
 9 not grant the petition if the court determines that the individual
 10 is a continuing threat to the public:

11 (a) The individual's age and level of maturity at the time of
 12 the offense.

13 (b) The victim's age and level of maturity at the time of the
 14 offense.

15 (c) The nature of the offense.

16 (d) The severity of the offense.

17 (e) The individual's prior juvenile or criminal history.

18 (f) The individual's likelihood to commit further listed
 19 offenses.

20 (g) Any impact statement submitted by the victim under the
 21 William Van Regenmorter crime victim's rights act, 1985 PA 87, MCL
 22 780.751 to 780.834, or under this section.

23 (h) Any other information considered relevant by the court.

24 **(17)** ~~(12)~~—The court may grant a petition properly filed by an
 25 individual under subsection (1) if all of the following apply:

26 (a) Ten or more years have elapsed since the date of ~~his or~~
 27 ~~her~~**the petitioner's** conviction for the listed offense or from ~~his~~
 28 ~~or her~~**the petitioner's** release from any period of confinement for
 29 that offense, whichever occurred last.

1 (b) The petitioner has not been convicted of any felony since
2 the date described in subdivision (a).

3 (c) The petitioner has not been convicted of any listed
4 offense since the date described in subdivision (a).

5 (d) The petitioner successfully completed ~~his or her~~ **the**
6 **petitioner's** assigned periods of supervised release, probation, or
7 parole without revocation at any time of that supervised release,
8 probation, or parole.

9 (e) The petitioner successfully completed a sex offender
10 treatment program certified by the United States ~~attorney general~~
11 **Attorney General** under ~~42 USC 16915(b)(1),~~ **34 USC 20915(b)(1)**, or
12 another appropriate sex offender treatment program. The court may
13 waive the requirements of this subdivision if successfully
14 completing a sex offender treatment program was not a condition of
15 the petitioner's confinement, release, probation, or parole.

16 **(18)** ~~(13)~~ The court may grant a petition properly filed by an
17 individual under subsection (2) if all of the following apply:

18 ~~(a) The petitioner is required to register based on an order~~
19 ~~of disposition entered under section 18 of chapter XIIIA of the~~
20 ~~probate code of 1939, 1939 PA 288, MCL 712A.18, that is open to the~~
21 ~~general public under section 28 of chapter XIIIA of the probate code~~
22 ~~of 1939, 1939 PA 288, MCL 712A.28.~~

23 **(a)** ~~(b)~~ Twenty-five or more years have elapsed since the date
24 of ~~his or her~~ **the petitioner's** adjudication for the listed offense
25 or from ~~his or her~~ **the petitioner's** release from any period of
26 confinement for that offense, whichever occurred last.

27 ~~(c) The petitioner has not been convicted of any felony since~~
28 ~~the date described in subdivision (b).~~

29 **(b)** ~~(d)~~ The petitioner has not been convicted of any listed

1 offense since the date described in subdivision ~~(b)~~ **(a)** .

2 **(c)** ~~(e)~~ The petitioner successfully completed ~~his or her the~~
3 **petitioner's** assigned periods of supervised release, probation, or
4 parole without revocation at any time of that supervised release,
5 probation, or parole.

6 **(d)** ~~(f)~~ The court determines that the petitioner successfully
7 completed a sex offender treatment program certified by the United
8 States ~~attorney general~~ **Attorney General** under ~~42 USC 16915(b)(1),~~
9 **34 USC 20915(b)(1)** , or another appropriate sex offender treatment
10 program. The court may waive the requirements of this subdivision
11 if successfully completing a sex offender treatment program was not
12 a condition of the petitioner's confinement, release, probation, or
13 parole.

14 **(19)** ~~(14)~~ The court shall grant a petition properly filed by
15 an individual under subsection (3) if the court determines that the
16 conviction for the listed offense was the result of a consensual
17 sexual act between the petitioner and the victim and any of the
18 following apply:

19 (a) All of the following:

20 (i) The victim was 13 years of age or older but less than 16
21 years of age at the time of the offense.

22 (ii) The petitioner is not more than 4 years older than the
23 victim.

24 (b) All of the following:

25 (i) The individual was convicted of a violation of section 158,
26 338, 338a, or 338b of the Michigan penal code, 1931 PA 328, MCL
27 750.158, 750.338, 750.338a, and 750.338b.

28 (ii) The victim was 13 years of age or older but less than 16
29 years of age at the time of the violation.

1 (iii) The individual is not more than 4 years older than the
2 victim.

3 (c) All of the following:

4 (i) The individual was convicted of a violation of section 158,
5 338, 338a, 338b, or 520c(1)(i) of the Michigan penal code, 1931 PA
6 328, MCL 750.158, 750.338, 750.338a, 750.338b, and 750.520c.

7 (ii) The victim was 16 years of age or older at the time of the
8 violation.

9 (iii) The victim was not under the custodial authority of the
10 individual at the time of the violation.

11 **(20)** ~~(15)~~—The court shall grant a petition properly filed by
12 an individual under subsection (3) if either of the following
13 applies:

14 (a) Both of the following:

15 (i) The petitioner was adjudicated as a juvenile.

16 (ii) The petitioner was less than 14 years of age at the time
17 of the offense.

18 (b) The individual was registered under this act before July
19 1, 2011 for an offense that required registration but for which
20 registration is not required on or after July 1, 2011.