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Registration of Sexual Offenders and Violent Sexual Offenders

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Registration of Sexual Offenders and Violent Sexual Offenders

Reference Number: CTAS-1270

Public Chapter 921 of the Acts of 2004 enacted the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004. Public Chapter 316 of the Acts of 2005 amended the act. The act requires offenders who live, work, or attend college in the county to register in person at the sheriff's office. Homeless offenders are also subject to the registration requirements of the act. Offenders who are incarcerated in the county jail must register in person with the sheriff or the sheriff's designee within 48 hours prior to the offender's release. Offenders who are committed to mental health institutions or continuously confined to home or healthcare facilities due to mental or physical disabilities are exempt from the registration requirement of the act. T.C.A. § 40-39-203. The information that must be collected from each offender is set forth in T.C.A. § 40-39-203(i). All data received from the offender, as required by the TBI and T.C.A. § 40-39-203(i), must be entered in to the TIES (Internet) within 12 hours of receipt. T.C.A. § 40-39-204(a). Within three days of an offender's initial registration, the sheriff must send the original signed TBI registration form to the TBI headquarters in Nashville by U.S. mail. T.C.A. § 40-39-203(k). The sheriff is required to retain a duplicate copy of the TBI registration form as a part of the business records of the sheriff's office. T.C.A. § 40-39-204(d).

The act requires all violent sexual offenders under the jurisdiction of the sheriff to report in person to the sheriff's office at least once during the months of March, June, September, and December of each calendar year and all sexual offenders to report in person to the sheriff's office once a year no earlier than seven calendar days before and no later than seven calendar days after the offender's date of birth to update their fingerprints, palm prints and photograph, as deemed necessary by the sheriff, and to verify the continued accuracy of the information in the TBI registration form. During the March reporting period, violent sexual offenders are required to pay an administrative fee not to exceed \$100. Sexual offenders pay the administrative fee during their annual reporting period. This fee is to be retained by the sheriff to purchase equipment, to defray personnel and maintenance costs, or for any other expenses incurred as a result of implementing the act. Violent sexual offenders and sexual offenders who reside in nursing homes and assisted living facilities, and offenders committed to mental health institutions or continuously confined to home or healthcare facilities due to mental or physical disabilities are exempt from the in-person reporting and administrative fee requirement. T.C.A. § 40-39-204(b) and (c).

All data received from the offender, as required by the TBI and T.C.A. § 40-39-203(i), must be entered into the TIES (Internet) within 12 hours of receipt. T.C.A. § 40-39-204(a). Within three days of a violent sexual offender's quarterly reporting date or a sexual offender's annual reporting date, the sheriff must send the original signed TBI registration form to the TBI headquarters in Nashville by U.S. mail. The sheriff is required to retain a duplicate copy of the TBI registration form as a part of the business records of the sheriff's office. T.C.A. § 40-39-204(d).

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