



LEXSTAT 42 U.S.C. 16913

UNITED STATES CODE SERVICE
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*** CURRENT THROUGH PL 111-198, APPROVED 7/2/2010 ***

TITLE 42. THE PUBLIC HEALTH AND WELFARE
 CHAPTER 151. CHILD PROTECTION AND SAFETY
 SEX OFFENDER REGISTRATION AND NOTIFICATION
 SEX OFFENDER REGISTRATION AND NOTIFICATION

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§ 16916. Periodic in person verification

A sex offender shall appear in person, allow the jurisdiction to take a current photograph, and verify the information in each registry in which that offender is required to be registered not less frequently than--

- (1) each year, if the offender is a tier I sex offender;
- (2) every 6 months, if the offender is a tier II sex offender; and
- (3) every 3 months, if the offender is a tier III sex offender.

HISTORY:

(July 27, 2006, P.L. 109-248, Title I, Subtitle A, § 116, 120 Stat. 595.)

NOTES:

Research Guide:

Annotations:

Validity, Construction, and Application of Federal Sex Offender Registration and Notification Act (SORNA), *42 U.S.C.A. §§ 16901 et seq.* [*42 USCS §§ 16901 et seq.*], its Enforcement Provision, *18 U.S.C.A. § 2250* [*18 USCS § 2250*], and Associated Regulations. *30 ALR Fed 2d 213.*

Interpretive Notes and Decisions:

Defendant's ex post facto challenge to registration requirements of Sex Offender Registration and Notification Act (SORNA), *42 USCS §§ 16901 et seq.*, lacked merit because statute was civil in nature; individual provisions of SORNA, except for *18 USCS § 2250*, were devoted to procedural issues; although SORNA required sex offenders to provide detailed personal information and appear in person so that jurisdiction could take current photograph and verify their information, *42 USCS §§ 16914, 16916*, there was insufficient evidence to transform SORNA from civil scheme into criminal penalty. *United States v Mason (2007, MD Fla) 510 F Supp 2d 923* (criticized in *United States v Muzio (2007, ED Mo) 2007 US Dist LEXIS 54330*) and (criticized in *United States v Cole (2007, SD Ill) 2007 US Dist LEXIS*

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68522) and (criticized in *United States v Gill* (2007, DC Utah) 520 F Supp 2d 1341) and (criticized in *United States v Mantia* (2007, WD La) 2007 US Dist LEXIS 96018) and (criticized in *United States v Howell* (2008, ND Iowa) 2008 US Dist LEXIS 7810).