

**TITLE 6: CRIMES AND CRIMINAL PROCEDURE**  
**DIVISION 1: CRIMES AGAINST THE PERSON**

**§ 1368. Recapture.**

(a) *Recapture.* The Department of Public Safety or designee shall have in place policies and procedures to ensure the following three categories of sex offenders are subject to the registration and updating requirements of this article:

- (1) Sex offenders incarcerated or under LESA, whether for a covered sex offense or other crime;
- (2) Sex offenders already registered or subject to a pre-existing sex offender registration requirement under the Commonwealth's laws, and
- (3) Sex offenders reentering the justice system due to conviction for any crime.

(b) *Timing of Recapture.* The Department of Public Safety or designee shall ensure recapture of the sex offenders mentioned in § 1368(a) within the following timeframe to be calculated from the date of passage of this code:

- (1) For Tier 1 sex offenders, 1 year,
- (2) For Tier 2 sex offenders, 180 days, and
- (3) For Tier 3 sex offenders, 90 days.

**Source:** PL 11-104, § 1 (Section 9 of reenacted PL 11-35) repealed and reenacted PL 11-35; repealed and reenacted by PL 17-49 § 2(1368) (July 29, 2011), modified.

**Commission Comment:** The Commission italicized titles of subsections for emphasis.