

§ 2250. Failure to register

(a) IN GENERAL.—Whoever—

(1) is required to register under the Sex Offender Registration and Notification Act;

(2)(A) is a sex offender as defined for the purposes of the Sex Offender Registration and Notification Act by reason of a conviction under Federal law (including the Uniform Code of Military Justice), the law of the District of Columbia, Indian tribal law, or the law of any territory or possession of the United States; or

(B) travels in interstate or foreign commerce, or enters or leaves, or resides in, Indian country; and

(3) knowingly fails to register or update a registration as required by the Sex Offender Registration and Notification Act;

shall be fined under this title or imprisoned not more than 10 years, or both.

(b) INTERNATIONAL TRAVEL REPORTING VIOLATIONS.—Whoever—

(1) is required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.);¹

(2) knowingly fails to provide information required by the Sex Offender Registration and Notification Act relating to intended travel in foreign commerce; and

(3) engages or attempts to engage in the intended travel in foreign commerce;

shall be fined under this title, imprisoned not more than 10 years, or both.

(c) AFFIRMATIVE DEFENSE.—In a prosecution for a violation under subsection (a) or (b), it is an affirmative defense that—

(1) uncontrollable circumstances prevented the individual from complying;

(2) the individual did not contribute to the creation of such circumstances in reckless disregard of the requirement to comply; and

(3) the individual complied as soon as such circumstances ceased to exist.

(d) CRIME OF VIOLENCE.—

(1) IN GENERAL.—An individual described in subsection (a) or (b) who commits a crime of violence under Federal law (including the Uniform Code of Military Justice), the law of the District of Columbia, Indian tribal law, or the law of any territory or possession of the United States shall be imprisoned for not less than 5 years and not more than 30 years.

(2) ADDITIONAL PUNISHMENT.—The punishment provided in paragraph (1) shall be in addition and consecutive to the punishment provided for the violation described in subsection (a) or (b).

(Added Pub. L. 109–248, title I, §141(a)(1), July 27, 2006, 120 Stat. 602; amended Pub. L. 114–119, §6(b), Feb. 8, 2016, 130 Stat. 23.)

Editorial Notes

REFERENCES IN TEXT

The Sex Offender Registration and Notification Act, referred to in subsecs. (a)(1), (2)(A), (3) and (b)(1), (2), is title I of Pub. L. 109–248, July 27, 2006, 120 Stat. 590, which was classified principally to subchapter I (§16901

¹ See References in Text note below.

et seq.) of chapter 151 of Title 42, The Public Health and Welfare, prior to editorial reclassification as chapter 209 (§20901 et seq.) of Title 34, Crime Control and Law Enforcement. For complete classification of this Act to the Code, see Short Title of 2006 Act note set out under section 10101 of Title 34 and Tables.

The Uniform Code of Military Justice, referred to in subsecs. (a)(2)(A) and (d)(1), is classified generally to chapter 47 (§801 et seq.) of Title 10, Armed Forces.

AMENDMENTS

2016—Subsecs. (b) to (d), Pub. L. 114–119 added subsec. (b), redesignated former subsecs. (b) and (c) as (c) and (d), respectively, and in subsecs. (c) and (d), substituted “subsection (a) or (b)” for “subsection (a)” wherever appearing.

CHAPTER 110—SEXUAL EXPLOITATION AND OTHER ABUSE OF CHILDREN

Sec.	
2251.	Sexual exploitation of children.
2251A.	Selling or buying of children.
2252.	Certain activities relating to material involving the sexual exploitation of minors.
2252A.	Certain activities relating to material constituting or containing child pornography.
2252B.	Misleading domain names on the Internet.
2252C.	Misleading words or digital images on the Internet.
2253.	Criminal forfeiture.
2254.	Civil forfeiture.
2255.	Civil remedy for personal injuries.
2256.	Definitions for chapter.
2257.	Record keeping requirements.
2257A.	Recordkeeping requirements for simulated sexual conduct. ¹
2258.	Failure to report child abuse.
2258A.	Reporting requirements of providers.
2258B.	Limited liability for providers or domain name registrars.
2258C.	Use to combat child pornography of technical elements relating to reports made to the CyberTipline.
2258D.	Limited liability for NCMEC.
2258E.	Definitions.
2259.	Mandatory restitution.
2259A.	Assessments in child pornography cases ²
2259B.	Child pornography victims reserve ²
2260.	Production of sexually explicit depictions of a minor for importation into the United States.
2260A.	Increased penalties for registered sex offenders. ¹

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–395, §7, Dec. 21, 2018, 132 Stat. 5294, substituted “Reporting requirements of providers” for “Reporting requirements of electronic communication service providers and remote computing service providers” in item 2258A, “Limited liability for providers or domain name registrars” for “Limited liability for electronic communication service providers and remote computing service providers” in item 2258B, “Use to combat child pornography of technical elements relating to reports made to the CyberTipline” for “Use to combat child pornography of technical elements relating to images reported to the CyberTipline” in item 2258C, and “Limited liability for NCMEC” for “Limited liability for the National Center for Missing and Exploited Children” in item 2258D.

Pub. L. 115–299, §5(d), Dec. 7, 2018, 132 Stat. 4388, added items 2259A and 2259B.

2008—Pub. L. 110–401, title V, §501(b)(3), Oct. 13, 2008, 122 Stat. 4251, added items 2258A to 2258E.

¹ So in original. Does not conform to section catchline.

² So in original. Probably should be followed by a period.