

HOUSE BILL ANALYSIS
SB 6640

Title: An act relating to sex offender name changes.

Brief Description: Requiring sex offenders to notify the county sheriff and the state patrol before changing his or her name.

Sponsors: Senators Morton, Roach, Swecker, McCaslin, Fairley, Goings, Anderson, Oke, and Benton.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Hearing Date: February 24, 1998.

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Background: Any citizen of the state of Washington, who is not an offender, wishing to change his or her name must submit an application with its appropriate fees to the local district court. The application must state the reason for the name change. The court in its discretion may approve and order a name change and the new name will replace the former name.

An offender under the jurisdiction of the Department of Corrections who wishes to change his or her name must apply to their local district court. In addition, a copy of the application must be submitted to the Department of Corrections five days prior to submitting the original application to the district court. No offender under the jurisdiction of the Department of Corrections at the time of application shall be granted an order changing his or her name if the court finds that doing so will interfere with legitimate penological interests, except that no order shall be denied when the name change is requested for religious or legitimate cultural reasons or in recognition of marriage or dissolution of marriage. An offender under the jurisdiction of the Department of Corrections who receives approval to change his or her name shall submit a copy of the order to the Department of Corrections within five days of the entry of the order. Violation of this law is a misdemeanor.

Summary: Under current law, sex offenders not under the jurisdiction of the Department of Corrections may change their names on the same basis as non-offenders. Sex offenders subject to registration requirements are not permitted to change their names if doing so will interfere with legitimate law enforcement interests. Name changes due to changes in marital status, religious, and legitimate cultural reasons are not included in this restriction.

Any sex offender who applies to change his or her name must submit a copy of the application to the county sheriff and the State Patrol at least five days prior to the entry of a name change order and must submit a copy of the court's name change order within five days after the order.

Violation of this law is a class C felony if the crime for which the individual was convicted was a felony or a federal or out-of-state conviction for an offense that under the laws of this state would be a felony. If the crime was

other than a felony or a federal or out-of-state conviction for an offense that under the laws of this state would be other than a felony, violation of this law is a gross misdemeanor.

Rules Authority:

No.

Fiscal Note:

Available.

Effective Date:

Ninety days after adjournment of session in which bill is passed.