
**Juvenile Justice & Family Law
Committee**

HB 2328

Brief Description: Changing provisions relating to registration of sex and kidnapping offenders who are students.

Sponsors: Representatives Dickerson, O'Brien, Delvin, Chase and Nixon.

Brief Summary of Bill

- Requires registered sex offenders and kidnapping offenders to notify the sheriff if he or she is planning to enroll at a public or private school and requires the sheriff to promptly notify the school.

Hearing Date: 1/14/04

Staff: Sonja Hallum (786-7092).

Background:

The Washington State Sex Offender Registration Law began in 1990. The law was later amended in 1997 to include kidnapping offenders in the registration program.

In Washington, a person is required to register if he or she has been convicted of a sex offense, a kidnapping offense, or has been found not guilty by reason of insanity of a sex offense or kidnapping offense.

The law in Washington defines a sex offense to include the following:

- (a) A felony that is a violation of the offenses listed in the chapter pertaining to sex offenses including rape, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and sexually violating human remains;
- (b) Incest;
- (c) A felony that is a violation of the chapter pertaining to sexual exploitation of a minor except the offense of possession of depictions of a minor engaged in sexually explicit conduct;
- (d) A felony or gross misdemeanor that is a criminal attempt, solicitation, or conspiracy to commit such crimes;
- (e) A felony with a finding that the felony was committed with a sexual motivation;
- (f) Comparable out-of-state convictions and convictions from prior to 1976;
- (g) Sexual misconduct with a minor in the second degree; and
- (h) Communication with a minor for immoral purposes.

If a person is convicted of a sex offense or kidnapping offense he or she must register as a sex offender with the county sheriff. The person must provide the following information:

- (a) Name;
- (b) Address;
- (c) Date and place of birth;
- (d) Place of employment;
- (e) Crime for which convicted;
- (f) Date and place of conviction;
- (e) Aliases used;
- (f) Social security number;
- (g) Photograph;
- (h) Fingerprints;
- (i) If the person who lacks a fixed residence, where he or she plans to stay; and
- (j) The name of the institution of higher education if the person is enrolled or employed at that institution of higher education.

Failure to register is a crime. If the underlying offense for which the person is required to register is a felony sex offense, felony kidnapping, or comparable out-of-state felony, the failure to register constitutes a class C felony offense. A class C offense is punishable by up to 5 years confinement and a \$10,000 fine.

If the underlying offense for which the person is required to register is an offense other than one of the above, failure to register is a gross misdemeanor. A gross misdemeanor is punishable by up to one year in confinement and a \$5,000 fine.

Summary of Bill:

A person who is required to register as a sex offender or kidnapping offender must give specific information to the county sheriff. The bill includes in the information the offender must give to the county sheriff the name and address of the public or private school he or she is attending or planning to attend. The sheriff is then required to promptly notify the school of the person's intent to attend the school.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.