

SENATE BILL REPORT

SB 6153

As Reported By Senate Committee On:
Financial Services, Insurance & Housing, January 20, 2004

Title: An act relating to notifying home buyers of where information regarding registered sex offenders may be obtained.

Brief Description: Notifying home buyers of where information regarding registered sex offenders may be obtained.

Sponsors: Senators Prentice, Eide, Haugen, Winsley, Kohl-Welles and Kline.

Brief History:

Committee Activity: Financial Services, Insurance & Housing: 1/19/04, 1/20/04 [DPS].

SENATE COMMITTEE ON FINANCIAL SERVICES, INSURANCE & HOUSING

Majority Report: That Substitute Senate Bill No. 6153 be substituted therefor, and the substitute bill do pass.

Signed by Senators Benton, Chair; Winsley, Vice Chair; Berkey, Keiser, Murray, Prentice and Roach.

Staff: Fara Daun (786-7459)

Background: Current law requires the seller of residential property to provide a completed disclosure form about the material condition of the property. The disclosure form is limited to the title and things that affect the title including homeowners' associations, physical conditions of the property such as water, sewage, structural information, systems and fixtures, and problems or hazards affecting the property.

In recent years there have been ongoing efforts to increase the availability of information about registered sex offenders in the community. As of October 2003 there were 17,866 registered sex offenders in the community. Information about registered sex offenders is maintained by law enforcement and law enforcement agencies may disclose information that is accurate, relevant, and necessary to protect the public on request. The extent of the information released is based on the level of the offender's risk to the community.

Summary of Substitute Bill: The seller disclosure form for residential property includes a "Notice to the Buyer" that informs the buyer that information regarding registered sex offenders may be obtained from local law enforcement agencies. The notice also contains a statement that it is intended only to inform the buyer of where to obtain the information and does not indicate the presence of registered sex offenders.

Substitute Bill Compared to Original Bill: The substitute bill contains an effective date of January 1, 2005.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2005.

Testimony For: This bill reflects the concern of home purchasers about discovering whether there are sex offenders in their new neighborhood. Not all home purchasers and sellers know where to find this information. By providing notice that the purchaser can get this information from local law enforcement, the notice clarifies that it is the purchaser's responsibility to get this information if the purchaser wants it. A delayed effective date would provide more time for smaller apartment owners to comply.

Testimony Against: None.

Testified: PRO: Senator Prentice, prime sponsor; Bob Mitchell, Washington Association of Realtors; Mark Gjurasic, Washington Apartment Association and Manufactured Housing Communities of Washington.