

# FINAL BILL REPORT

## 2SSB 6319

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### C 128 L 06

Synopsis as Enacted

**Brief Description:** Changing provisions for sex offender registration.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Regala, Brandland, Stevens, Kline, Weinstein, Doumit, Carrell, Keiser, Rockefeller, Berkey, Haugen, Fairley, Spanel, Pflug, Sheldon, Rasmussen, McAuliffe, Shin, Roach and Benton).

**Senate Committee on Human Services & Corrections**  
**Senate Committee on Ways & Means**  
**House Committee on Criminal Justice & Corrections**  
**House Committee on Appropriations**

**Background:** In 1990, the Legislature enacted the Community Protection Act, which created one of the first sex offender registration laws in the country. A person convicted of a sex or kidnapping offense must register with the county sheriff of the county in which he or she lives. The person subject to the registration requirements must provide such information as his or her name, address, date and place of birth, place of employment, crime of conviction, date and place of conviction, aliases, Social Security number, photograph, and fingerprints. He or she must also notify the county sheriff if he or she is enrolled in public or private school or in an institution of higher education.

A person subject to the registration requirements, who is either a new Washington resident, or who is a former Washington resident whose crime of conviction was in Washington, must register within 30 days of establishing residence in Washington.

A person who knowingly fails to register or to notify the sheriff, or who changes his or her name without notifying the sheriff or the Washington State Patrol, is guilty of the crime of failure to register.

If the crime requiring registration was a felony, failure to meet the registration requirements is a class C felony. The seriousness of this offense is unranked for purposes of sentencing and may include up to 12 months in jail, a fine of up to \$10,000, or both. If the crime requiring registration was a misdemeanor or a gross misdemeanor, failure to register is a gross misdemeanor, punishable by up to 12 months in jail, a fine of \$5,000, or both.

**Summary:** The bill defines the crime of failure to register as non-compliance with any of the requirements of the registration statute, eliminating existing language that defines the crime as failure to register with the county sheriff or changing one's name without notifying law enforcement. It requires the court to impose a term of community custody for failure to register. For sentencing purposes, the crime of failure to register is changed from an unranked felony to a seriousness level II for second and subsequent offenses. When calculating the standard sentencing range for an offender, each prior conviction for failure to register as a sex

offender will count as one criminal history point. Other sex offenses will count as three criminal history points each.

**Votes on Final Passage:**

Senate	47	1	
House	98	0	(House amended)
Senate	43	1	(Senate concurred)

**Effective:** June 7, 2006  
September 1, 2006 (Section 2)