

FINAL BILL REPORT

HB 1431

C 171 L 07

Synopsis as Enacted

Brief Description: Changing certificate of discharge requirements.

Sponsors: By Representatives Goodman, Lantz, O'Brien, Rodne, Moeller and Hasegawa; by request of Secretary of State.

House Committee on Judiciary

Senate Committee on Human Services & Corrections

Background:

When a felony offender has completed a term of confinement and has complied with all requirements of his or her sentence, he or she is issued a certificate of discharge. In the case of an offender sentenced under the Sentencing Reform Act, the court that sentenced the offender issues the certificate. In the case of an offender under the jurisdiction of the Indeterminate Sentence Review Board, the board issues the certificate.

Copies of certificates of discharge are to be sent to county auditors. The law directs the Department of Corrections to create and maintain a database of certificates of discharge. A law passed in 2005 relating to voter registration also requires the Secretary of State to maintain a record of all discharges. The Secretary of State is to use these records to assist in maintaining a statewide voter registration list.

Judicial issuance of a certificate of discharge is processed through the county clerk. The Administrative Office of the Courts maintains records of criminal sentences, including discharges, that are supplied by the county clerks. The same law that requires the Secretary of State to maintain a record of discharges also requires that the statewide voter registration list database be coordinated with lists from other agencies, including the Administrative Office of the Courts.

Summary:

The requirements for a certificate of discharge database in the Department of Corrections and in the Secretary of State's office are eliminated. The requirement that copies of certificates of discharge be sent to county auditors is eliminated. Each certificate is to be filed with the county clerk in the county of the sentencing court.

The county clerks are required to enter the names of discharged felons into a database maintained by the Administrative Office of the Courts.

Votes on Final Passage:

House 93 0

Senate 49 0

Effective: July 22, 2007