

SENATE BILL REPORT

ESHB 2035

As Reported by Senate Committee On:
Human Services & Corrections, March 26, 2009

Title: An act relating to requiring registered sex and kidnapping offenders to submit information regarding any e-mail addresses and any web sites they create or operate.

Brief Description: Requiring registered sex and kidnapping offenders to submit information regarding any e-mail addresses and any web sites they create or operate.

Sponsors: House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Klippert, O'Brien, Shea, Haler, Roach, Armstrong, Pearson, McCune, Condotta, Orwall, Ross, Hurst, Smith, Kristiansen, Kretz, Orcutt, Kelley, Warnick and Angel).

Brief History: Passed House: 3/03/09, 97-0.

Committee Activity: Human Services & Corrections: 3/17/09, 3/26/09 [DPA, w/oRec].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Stevens, Ranking Minority Member; Brandland, Carrell and McAuliffe.

Minority Report: That it be referred without recommendation.

Signed by Senator Regala, Vice Chair.

Staff: Shani Bauer (786-7468)

Background: In 1990 the Legislature enacted the Community Protection Act, which, among other things, created a sex offender registry in Washington. A sex or kidnapping offender must register with the county sheriff in the county where the person resides. The offender must also notify the sheriff when the offender enrolls in a public or private school or an institution of higher education. Law enforcement officials use the information in the registry to notify the public, within certain guidelines, of a sex offender's presence in the community.

When an offender registers, the offender must provide a variety of information including the offender's name, address (a homeless offender must provide a description of where he or she plans to stay), date and place of birth, place of employment, crime of conviction, date and

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place of conviction, aliases used, Social Security number, photograph, and fingerprints. A sex or kidnapping offender's picture may be taken at any time to update the individual's file.

A person who knowingly fails to register and provide the required information is guilty of the crime of failure to register.

Summary of Bill (Recommended Amendments): A person who is required to register must provide his or her email address, internet communication name, and any uniform resource locator (URL) for any personal website created or operated by the person if:

- county law enforcement requests the information; and
- the person has not received a certificate of discharge for completing the terms of his or her sentence.

The act is null and void if not funded in the state budget.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments): A registered sex or kidnapping offender is required to provide an email address, internet communication name, and the URL for any personal website created or operated by the person if:

- county law enforcement requests the information; and
- the person has not received a certificate of discharge for completing the terms of his or her sentence.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Engrossed Substitute House Bill: PRO: The whole purpose of this bill is to keep young people safer. A sex offender may use the internet as a vehicle to prey on citizens. This bill would help ensure that offenders are not allowed to do that.

Persons Testifying: PRO: Representative Klippert, prime sponsor.