
Public Safety Committee

HB 1232

Brief Description: Asserting conditions under which the department of corrections provides rental vouchers to a registered sex offender.

Sponsors: Representatives Sells, Zeiger, Morrell, Hayes, McCoy, Klippert, Fey, Holy, Jinkins and Smith.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Places conditions upon the issuance of housing vouchers for sex offenders released from total confinement by the Department of Corrections.

Hearing Date: 1/29/13

Staff: Sarah Koster (786-7303).

Background:

Offenders committed to a correctional facility operated by the Department of Corrections (Department) earn early release time for good behavior and good performance. The percentage of the sentence which can be earned varies depending on the circumstances of the offender's underlying offense and date of conviction. Offenders subject to community custody shall be under the supervision of the Department upon release.

Before an offender may be released early from confinement to community custody, the Department must approve the offender's release plan. The release plan includes the specific residence and living arrangements of the offender. The Department can deny the offender's release plan (and his or her release) if the Department determines that the plan places the community or specific victims at risk, if it violates the terms of supervision, or if it places the offender at risk to reoffend or violate the conditions of supervision.

The Department can provide rental vouchers to the offender for a period of up to three months if the rental voucher will result in an approved release plan. The voucher must be provided in

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conjunction with additional transition support programming or services including, but not limited to, substance abuse treatment, mental health treatment, sex offender treatment, education programming or employment programming.

Summary of Bill:

Before the Department may issue a rental voucher for an offender who is a registered sex offender, five conditions must be satisfied:

1. The Department must give notice to the local government where the residence is located 30 days before issuing the rental voucher.
2. The Department must give notice to the local government of the offender's name and risk level 10 days prior to the issuance of the rental voucher.
3. The local government must issue a certificate of inspection for the dwelling unit, certifying compliance with all applicable building and fire safety codes and zoning restrictions.
 - a. The local government has 10 days after the certificate of inspection is requested, or after the date they are given access to the dwelling, to conduct the inspection.
 - b. If the local government doesn't issue a timely certificate of inspection, the certificate is considered granted.
 - c. The local government may charge inspection fees.
4. No more than three sex offenders utilizing rental vouchers may reside in a dwelling unit at a time.
 - a. A local government may waive this requirement if:
 - i. The dwelling is in a location in which increased occupancy is compatible with adjoining uses;
 - ii. The operator of the unit demonstrates to the reasonable satisfaction of the local government that there are adequate measures in place for security of the dwelling; and
 - iii. The operator consents to local government conducting fire and building code certifications as frequently as every 30 days.
5. If the offender is a level III sex offender, his or her dwelling must be at least 440 feet from another dwelling unit housing a level III offender and at least 880 feet from a school or childcare center.

Appropriation: None.

Fiscal Note: Available.

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