

# HOUSE BILL REPORT

## SB 5239

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**As Reported By House Committee On:**  
Corrections

**Title:** An act relating to registration of sex offenders.

**Brief Description:** Requiring any person convicted of communication with a minor to register as a sex offender.

**Sponsors:** Senators Oke and Owen.

**Brief History:**

**Committee Activity:**

Corrections: 3/21/95, 3/24/95 [DPA].

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### HOUSE COMMITTEE ON CORRECTIONS

**Majority Report:** Do pass as amended. Signed by 11 members: Representatives Ballasiotes, Chairman; Blanton, Vice Chairman; Sherstad, Vice Chairman; Quall, Ranking Minority Member; Tokuda, Assistant Ranking Minority Member; Cole; Dickerson; Koster; Radcliff; K. Schmidt and Schoesler.

**Staff:** Rick Neidhardt (786-7841).

**Background:**

Communication with a minor for immoral purposes.

A person commits a crime by communicating with a minor for immoral purposes. Case law has specified that the immoral purposes must be of a sexual nature.

The crime is a gross misdemeanor if the offender has not previously been convicted of any of a list of felony sexual offenses. If the offender has been previously convicted of any of these offenses, the crime is a Class C felony.

Sex offender registration.

Persons convicted of a sex offense are required to register with their local sheriff. The term "sex offense" is defined to include a variety of felony offenses involving

sexual conduct, including rape, rape of a child, indecent liberties, child molestation, and incest.

A person who is convicted of communicating with a minor for immoral purposes is subject to registration only if the conviction was a felony. Registration is not required if the crime was committed as a gross misdemeanor.

**Summary of Amended Bill:** All persons convicted of communicating with a minor for immoral purposes, whether or not the offense is a felony, are required to register as sex offenders. These offenders must be registered for 10 years, unless a judge orders otherwise.

**Amended Bill Compared to Original Bill:** The original bill does not address the duration of the registration requirement.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Convictions for communication with a minor for immoral purposes can occur even when the defendant was originally charged with a more serious sex offense. This can happen due to insufficient evidence or problems with prosecuting the case. Two recent examples occurred in or near Kitsap County. We need to know where these offenders are.

**Testimony Against:** None.

**Testified:** Robert Sauter, Kitsap County Veteran's Coalition (pro); and Larry Erickson, Washington Association of Sheriffs and Police Chiefs (pro);