
SENATE BILL 6488

State of Washington

55th Legislature

1998 Regular Session

By Senators Goings, Zarelli, Fairley, Kline, Bauer, Rasmussen, Oke and
Spanel

Read first time 01/20/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to sex offenders whose victims are children; adding
2 a new section to chapter 9A.44 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.44 RCW
5 to read as follows:

6 (1) Any city, town, or county may designate a zone or zones within
7 its jurisdiction within which a sex offender designated as a risk level
8 III sex offender under RCW 4.24.550 whose victim was under the age of
9 eighteen at the time of the offense may not reside. The following
10 areas may be included within the zone or zones:

11 (a) Within one thousand feet of a school bus route stop designated
12 by the school district;

13 (b) Within one thousand feet of the perimeter of a school;

14 (c) A public housing project; or

15 (d) Within one thousand feet of the perimeter of a civic center or
16 public park.

17 (2)(a) A violation of this section is a class C felony.

18 (b) It is not a defense to a prosecution for a violation of this
19 section that the person was unaware that his or her residence is within

1 one thousand feet of the school or school bus route stop, in a public
2 housing project, or within one thousand feet of the perimeter of a
3 civic center or public park.

4 (c) In a prosecution under this section, a map produced or
5 reproduced by any municipality, school district, county, transit
6 authority engineer, or public housing authority for the purpose of
7 depicting the location and boundaries of the area on or within one
8 thousand feet of any property used for a school, school bus route stop,
9 public park, public housing project, public transit vehicle stop
10 shelter, or a civic center, or a true copy of such a map, shall under
11 proper authentication, be admissible and shall constitute prima facie
12 evidence of the location and boundaries of those areas if the governing
13 body of the municipality, school district, county, or transit authority
14 has adopted a resolution or ordinance approving the map as the official
15 location and record of the location and boundaries of the area on or
16 within one thousand feet of the school, school bus route stop, public
17 park, public housing project designated by a local governing authority
18 as a drug-free zone, public transit vehicle stop shelter, or civic
19 center designated as a drug-free zone by a local governing authority.
20 Any map approved under this section or a true copy of the map shall be
21 filed with the clerk of the municipality or county, and shall be
22 maintained as an official record of the municipality or county. This
23 section shall not be construed as precluding the prosecution from
24 introducing or relying upon any other evidence or testimony to
25 establish any element of the offense. This section shall not be
26 construed as precluding the use or admissibility of any map or diagram
27 other than the one which has been approved by the governing body of a
28 municipality, school district, county, transit authority, or public
29 housing authority if the map or diagram is otherwise admissible under
30 court rule.

31 (3) As used in this section the following terms have the meanings
32 indicated unless the context clearly requires otherwise:

33 (a) "School" has the meaning under RCW 28A.150.010 or 28A.150.020.
34 The term "school" also includes a private school approved under RCW
35 28A.195.010;

36 (b) "School bus route stop" means a school bus stop as designated
37 by a school district;

1 (c) "Public park" means land, including any facilities or
2 improvements on the land, that is operated as a park by the state or a
3 local government;

4 (d) "Transit authority" means a city, county, or state
5 transportation system, transportation authority, public transportation
6 benefit area, public transit authority, or metropolitan municipal
7 corporation within the state that operates public transit vehicles;

8 (e) "Stop shelter" means a passenger shelter designated by a
9 transit authority;

10 (f) "Civic center" means a publicly owned or publicly operated
11 place or facility used for recreational, educational, or cultural
12 activities;

13 (g) "Public housing project" means the same as "housing project" as
14 defined in RCW 35.82.020.

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