

# HOUSE BILL REPORT

## ESSB 6143

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### As Passed House:

April 21, 2001

**Title:** An act relating to community notification for risk level III sex and kidnapping offenders.

**Brief Description:** Requiring publication of level III sex and kidnapping offender notifications.

**Sponsors:** By Senate Committee on Human Services & Corrections (originally sponsored by Senators T. Sheldon, Hargrove, Long, Costa, Roach, Snyder, McCaslin, Spanel, Winsley, Gardner, Eide, Zarelli, Rossi, Benton, Hochstatter, Swecker, Kastama, Shin, Patterson, Kline, Fraser, McAuliffe and Rasmussen).

### Brief History:

#### Floor Activity:

Passed House: 4/21/01, 87-0.

#### Brief Summary of Engrossed Substitute Bill

- Requires county sheriffs to submit level III sex offender community notifications to legal newspapers.
- Requires legal newspapers to have a policy to print all legal notices including sex offender notifications.
- Requires county sheriffs to submit a full list of level III sex offenders twice a year to be published in its local legal newspaper.
- Requires county sheriffs to maintain a current list of level III sex offenders on a publicly accessible web site.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

**Majority/Minority Report:** None.

**Staff:** Yvonne Walker (786-7841).

**Background:**

Legal Newspaper. Legal notices and other official documents, such as a summons, citations, notices of sheriffs' sales, or legal advertisements of any description, must be published in a newspaper approved as a legal newspaper by the superior court of the county in which the newspaper is published. Various statutes pertaining to numerous areas of the law require that certain notices be published in a legal newspaper, including: probate of estates, dependency and termination of parental rights, adoptions, and special elections.

In order to be approved as a legal newspaper the newspaper must meet the following requirements that includes being a newspaper:

Of general interest; Printed in English; Published regularly (at least once a week); Of general circulation; Having been published for at least six months prior to its application to the superior court for approval; Compiled in an office maintained in the city or town of publication; and Holding a second class mailing permit (also known as a periodicals class mailing permit by the United States Postal Service).

A legal newspaper is not required to have a policy to print law enforcement notifications for sex offenders in order to qualify for approval as a legal newspaper.

Sex Offender Notification. Public agencies are authorized to release information to the public regarding sex offenders when the agency determines that disclosure of the information is relevant and necessary to protect the public and counteract the danger created by the particular offender.

Local law enforcement agencies make their own determination of what type of public notification is appropriate. Generally, offenders are classified into risk levels I, II, or III, depending on the agency's assessment of the risk posed by the offender to the community.

Notifications for level III sex offenders may include the release of relevant, necessary, and accurate information to:

Appropriate law enforcement agencies and, upon request, to any victim or witness to the offense and to any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found;

Public and private schools, child day care centers, family day care providers, businesses and organizations that primarily serve children, women, vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside, or is regularly found; and

The general public (usually through the press).

**Summary of Bill:**

**Legal Newspaper.** A legal newspaper must have a policy to print all legal notices in order to qualify as a legal newspaper. A legal notice includes those notifications received from the county sheriff's office that discloses information regarding a risk level III sex offender's residence where the offender resides, expects to reside, or is regularly found.

**Sex Offender Notification.** The county sheriff must submit level III sex offender community notifications to at least one legal newspaper with general circulation in the area of the sex offender's registered address or location. In addition, a current list of registered sex offenders classified as risk level III must be published twice yearly. The county sheriff must also maintain a list of level III sex offenders on a publicly accessible web site and update it at least monthly.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

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

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** None.