

SENATE BILL REPORT

HB 1088

As Reported By Senate Committee On:
Human Services & Corrections, March 21, 1995

Title: An act relating to sex offenders.

Brief Description: Clarifying the definition of "sex offense".

Sponsors: Representatives Hatfield, Ballasiotes, Kessler, Poulsen, Sheldon, Schoesler, Brumsickle, Blanton, Campbell, Pennington, Costa, Sherstad and Benton.

Brief History:

Committee Activity: Human Services & Corrections: 3/21/95 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Long, Moyer, Palmer, Prentice, Schow and Strannigan.

Staff: Dennis Martin (786-7403)

Background: The sex offender registration statutes apply to any person who commits a sex offense as currently defined under the Sentencing Reform Act.

The definition of sex offense applies to felonies or any attempt, solicitation, or conspiracy to commit the crime. However, it is unclear whether an attempt to commit a class C felony sex offense is defined as a sex offense because such an attempt is a gross misdemeanor. Some trial courts have held that a misdemeanor attempt to commit a class C felony sex offense qualifies as a sex offense. Other courts have held such attempts not to be a sex offense.

Summary of Bill: The definition of sex offense under the Sentencing Reform Act is clarified to apply only to offenses which are felonies.

For purposes of sex offender registration, the definition of sex offense includes a felony or misdemeanor attempt to commit any felony sex offense. Thus, a person convicted of attempting to commit a felony sex offense must register as a sex offender.

The registration requirement for any person convicted of attempting to commit a class C felony sex offense ends automatically after ten years, the same period of time as if the person were convicted of committing a class C felony sex offense.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The bill will clarify that persons convicted of attempting to commit a felony sex offense are required to register as sex offenders.

Testimony Against: None.

Testified: Rep. Brian Hatfield, 19th District (pro); Tom McBride, WAPA (pro).