

# SENATE BILL REPORT

## SHB 2281

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As of February 9, 1996

**Title:** An act relating to sex offender registration.

**Brief Description:** Improving address reporting by sex offenders.

**Sponsors:** House Committee on Corrections (originally sponsored by Representatives Sehlin, Sheahan, Blanton, Backlund, Goldsmith, L. Thomas, Mulliken, McMahan, Patterson, Conway and Chopp).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/14/96.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Andrea McNamara (786-7483)

**Background:** Convicted sex offenders are required under current law to register with the sheriff in the county where they reside. Generally, the registration must be completed within 24 hours of being released from custody and must include the address where the offender will live.

Current law also requires sex offenders to update their registration when they move within the same county and to re-register when they move to a new county. When changing addresses within the same county, an offender must send written notice of the change within ten days of moving. When moving to a new county, an offender must register with the sheriff of the new county and send written notice to the sheriff of the previous county within ten days of the move.

An offender who knowingly fails to register or update an address change is guilty of a crime. The crime is a class C felony if the underlying sex offense was a class A felony and is a gross misdemeanor otherwise.

**Summary of Bill:** The deadlines by which registered sex offenders must notify authorities of address changes are modified so that notification must be made prior to moving rather than after.

When a registered sex offender moves to a new address within the same county, the offender must notify the sheriff at least 14 days before moving. When moving to a new county, a registered sex offender must send written notice of the change in address to the sheriffs of both the new county and county the offender is leaving at least 14 days before moving. The offender is also required to register in the new county within 24 hours after arriving.

A new affirmative defense is created to the crime of failing to update an address 14 days prior to moving. Under this defense, a defendant must establish by a preponderance of the

evidence that the defendant (1) did not know the location of the new residence at least 14 days prior to moving; and (2) sent the required notice within 24 hours of determining the new address.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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