

HOUSE BILL REPORT

ESSB 6153

As Passed House:

March 3, 2004

Title: An act relating to notifying home buyers of where information regarding registered sex offenders may be obtained.

Brief Description: Notifying home buyers of where information regarding registered sex offenders may be obtained.

Sponsors: By Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Prentice, Eide, Haugen, Winsley, Kohl-Welles and Kline).

Brief History:

Committee Activity:

Financial Institutions & Insurance: 2/25/04, 2/27/04 [DP].

Floor Activity:

Passed House: 3/3/04, 96-0.

Brief Summary of Engrossed Substitute Bill

- Requires a seller of residential property to provide a buyer with written notice that information about registered sex offenders is available from local law enforcement agencies.

HOUSE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE

Majority Report: Do pass. Signed by 11 members: Representatives Schual-Berke, Chair; G. Simpson, Vice Chair; Benson, Ranking Minority Member; Newhouse, Assistant Ranking Minority Member; Cairnes, Carrell, Cooper, Hatfield, Roach, Santos and D. Simpson.

Staff: Carrie Tellefson (786-7127).

Background:

Sex offender registration: Convicted sex offenders who are released into the community are required to register with the county sheriff in the jurisdiction where the offender resides. When registering, the offender must provide a variety of personal information, including his or her address, place of employment, Social Security number, conviction history, fingerprints, and a photograph.

Public agencies are authorized to release information to the public regarding sex offenders when the disclosure of such information is necessary in order to protect the public. County

sheriffs, in particular, must publish information regarding certain classes of sex offenders so as to notify the public of their presence in the community. In addition, county sheriffs must maintain – and make available to the public – a database that includes the sex offender's identity, neighborhood of residence, relevant convictions, physical description, and a photograph.

Seller's disclosures: Sellers of residential real estate are required to make extensive written disclosures to buyers regarding the condition of the property, utility systems, hazardous conditions, legal restrictions, etc. These written disclosures must be in the form specified by statute.

Summary of Bill:

A seller of residential real estate must provide written notice to a buyer informing him or her that information about registered sex offenders living in the area may be obtained from local law enforcement agencies. This notice provision must be included in the seller's disclosure statement. The seller and/or the real estate agent have no legal duty to provide the buyer with specific, substantive information regarding sex offenders who might be living in the neighborhood in which the property is located.

The act applies only to purchases entered into on or after the effective date of this act.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2005.

Testimony For: None.

Testimony Against: None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: Bob Mitchell, Washington Association of Realtors.