
**Criminal Justice & Corrections
Committee**

HB 2410

Brief Description: Changing provisions relating to sex offenders.

Sponsors: Representatives O'Brien, Rodne, Ericks, Lovick and Anderson.

Brief Summary of Bill

- Designates Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct a sex offense.

Hearing Date: 1/13/06

Staff: Jim Morishima (786-7191).

Background:

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct

A person is guilty of Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct if he or she knowingly possesses visual or printed matter depicting a minor engaged in sexually explicit conduct. The crime is an "unranked" class C felony (zero-12 months in jail for each offense).

Sex Offenses

Several offenses are currently designated "sex offenses" for purposes of criminal sentencing. There are several consequences of an offense being a sex offense including:

- Ineligibility for 50 percent earned release credits (the offender will be eligible for 10 percent or 33 percent depending on the sex offense involved);
- Mandatory terms of community custody for prison-bound offenders;
- Mandatory supervision by the Department of Corrections in the community;
- Triple scoring of prior sex offenses when computing the sentence for a new sex offense;
- Ineligibility for the Drug Offender Sentencing Alternative and the First Time Offender Waiver; and
- Registration (note that the definition of "sex offense" for purposes of the registration statute is broader than the definition for purposes of sentencing).

Summary of Bill:

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct is designated a sex offense.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately, except for Section 2, which because of prior double amendments, takes effect July 1, 2006.