
SENATE BILL 5508

State of Washington

58th Legislature

2003 Regular Session

By Senators Eide, Keiser and Roach

Read first time 01/28/2003. Referred to Committee on Children & Family Services & Corrections.

1 AN ACT Relating to supervision of level III offenders for offenses
2 committed on or after July 1, 2003; adding a new section to chapter
3 9.94A RCW; adding a new section to chapter 9.95 RCW; providing an
4 effective date; and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.94A RCW
7 to read as follows:

8 (1) When an offender convicted of a sex or kidnapping offense
9 committed on or after July 1, 2003, is classified as a level III
10 offender, the department may not approve release to, or any later
11 residence that is within one mile of any licensed day care facility,
12 preschool, or any public or private primary or secondary school during
13 any period that the offender is under supervision in the community.

14 (2)(a) The department shall require, as a condition of supervision,
15 that all sex and kidnapping offenders under its authority convicted of
16 a sex or kidnapping offense committed on or after July 1, 2003, and
17 classified as level III offenders to wear an electronic home monitoring
18 device at all times during their period of supervision in the
19 community. To the extent that electronic home monitoring devices

1 employing global positioning system technology or other advanced
2 technology to provide a precise real-time location are available, they
3 shall be utilized.

4 (b) The offender shall pay the cost of electronic home monitoring
5 as part of his or her cost of supervision. The department may add the
6 cost to the current cost of supervision fees. If the offender is
7 indigent, or the payment of the cost of electronic home monitoring
8 would make the offender unable to pay restitution, child support, or
9 other legal financial obligations, the department may waive or reduce
10 the payment of the cost of electronic home monitoring.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.95 RCW
12 to read as follows:

13 (1) When an offender convicted of a sex or kidnapping offense
14 committed on or after July 1, 2003, is classified as a level III
15 offender, the board may not approve release to, or any later residence
16 that is within one mile of any licensed day care facility, preschool,
17 or any public or private primary or secondary school during any period
18 that the offender is under supervision in the community.

19 (2)(a) The board shall require, as a condition of supervision, that
20 all sex and kidnapping offenders under its authority convicted of a sex
21 or kidnapping offense committed on or after July 1, 2003, and
22 classified as level III offenders to wear an electronic home monitoring
23 device at all times during their period of supervision in the
24 community. To the extent that electronic home monitoring devices
25 employing global positioning system technology or other advanced
26 technology to provide a precise real-time location are available, they
27 shall be utilized.

28 (b) The offender shall pay the cost of electronic home monitoring
29 as part of his or her cost of supervision. The board may add the cost
30 to the current cost of supervision fees. If the offender is indigent,
31 or the payment of the cost of electronic home monitoring would make the
32 offender unable to pay restitution, child support, or other legal
33 financial obligations, the board may waive or reduce the payment of the
34 cost of electronic home monitoring.

35 NEW SECTION. **Sec. 3.** If any provision of this act or its

1 application to any person or circumstance is held invalid, the
2 remainder of the act or the application of the provision to other
3 persons or circumstances is not affected.

4 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 July 1, 2003.

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