

SENATE BILL REPORT

SHB 2223

As Reported By Senate Committee On:
Human Services & Corrections, March 31, 2005

Title: An act relating to fees charged to law enforcement agencies for certified copies of records concerning sex offenders.

Brief Description: Prohibiting charging clerk's fees to law enforcement agencies for records concerning sex offenders.

Sponsors: House Committee on Criminal Justice & Corrections (originally sponsored by Representative O'Brien).

Brief History: Passed House: 3/09/05, 97-0.

Committee Activity: Human Services & Corrections: 3/17/05, 3/31/05 [DP].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Fara Daun (786-7459)

Background: Court clerks charge fees for filing documents with the court and for making copies of court documents and files. The amounts of the fees are established in statute. There are provisions for waiving some fees for persons who are unable to pay the fees.

Summary of Bill: A public agency may not charge a law enforcement agency a fee for preparing, copying, or mailing certified copies of certain sex offender records when the records are necessary for risk assessment, preparing a failure to register case, or maintaining a sex offender's registration files. This provision applies to sex offenders convicted in Washington courts and to the judgment and sentence, information, affidavit of probable cause, and the notice of requirement to register as a sex offender.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: Every county provides their own police departments with the information needed to prepare sex offender risk assessments, prepare failure to register cases, and maintain the registration files. The problem comes when sex offenders move between counties and law

enforcement needs the sex offender information from another county. In this case there is no statutory authority for the county clerks to waive the fees.

Testimony Against: None.

Who Testified: PRO: Representative Al O'Brien, prime sponsor; James McMahon, WASPC; Detective Bob Shilling, Seattle Police Department, Interpol.