

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1757

56th Legislature  
1999 Regular Session

Passed by the House April 25, 1999  
Yeas 96 Nays 0

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**Speaker of the House of Representatives**

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**Speaker of the House of Representatives**

Passed by the Senate April 24, 1999  
Yeas 42 Nays 2

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**President of the Senate**

Approved

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1757** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1757

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AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Miloscia, O'Brien, Koster, Lovick, Haigh, Hurst and Radcliff

Read first time 02/04/1999. Referred to Committee on Criminal Justice & Corrections.

1            AN ACT Relating to DNA identification; amending RCW 43.43.754; and  
2            creating a new section.

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

4            NEW SECTION.    **Sec. 1.** The legislature finds it necessary to expand  
5            the current pool of convicted offenders who must have a blood sample  
6            drawn for purposes of DNA identification analysis. The legislature  
7            further finds that there is a high rate of recidivism among certain  
8            types of violent and sex offenders and that drawing blood is minimally  
9            intrusive. Creating an expanded DNA data bank bears a rational  
10           relationship to the public's interest in enabling law enforcement to  
11           better identify convicted violent and sex offenders who are involved in  
12           unsolved crimes, who escape to reoffend, and who reoffend after  
13           release.

14           **Sec. 2.** RCW 43.43.754 and 1994 c 271 s 402 are each amended to  
15           read as follows:

16           Every adult or juvenile individual convicted of a felony or  
17           adjudicated guilty of an equivalent juvenile offense defined as a sex  
18           offense under RCW 9.94A.030(~~((31))~~) (33)(a) or a violent offense as

1 defined in RCW 9.94A.030 shall have a blood sample drawn for purposes  
2 of DNA identification analysis. For persons convicted of such offenses  
3 or adjudicated guilty of an equivalent juvenile offense who are serving  
4 or who are to serve a term of confinement in a county jail or detention  
5 facility, the county shall be responsible for obtaining blood samples  
6 ~~((prior to release from))~~ either as part of the intake process into the  
7 county jail or detention facility for those persons convicted on or  
8 after the effective date of this act, or within a reasonable time after  
9 the effective date of this act for those persons incarcerated prior to  
10 the effective date of this act who have not yet had a blood sample  
11 drawn, beginning with those persons who will be released the soonest.  
12 For persons convicted of such offenses or adjudicated guilty of an  
13 equivalent juvenile offense, who are serving or who are to serve a term  
14 of confinement in a department of corrections facility or a division of  
15 juvenile rehabilitation facility, the facility holding the person shall  
16 be responsible for obtaining blood samples ~~((prior to release from))~~  
17 either as part of the intake process into such facility for those  
18 persons convicted on or after the effective date of this act, or within  
19 a reasonable time after the effective date of this act for those  
20 persons incarcerated prior to the effective date of this act who have  
21 not yet had a blood sample drawn, beginning with those persons who will  
22 be released the soonest. Any blood sample taken pursuant to RCW  
23 43.43.752 through 43.43.758 shall be used solely for the purpose of  
24 providing DNA or other blood grouping tests for identification analysis  
25 and prosecution of a sex offense or a violent offense.

26 This section applies to all adults who are convicted after July 1,  
27 1990; and to all adults who were convicted on or prior to July 1, 1990,  
28 and who are still incarcerated on or after the effective date of this  
29 act. This section applies to all juveniles who are adjudicated guilty  
30 after July 1, 1994; and to all juveniles who were adjudicated guilty on  
31 or prior to July 1, 1994, and who are still incarcerated on or after  
32 the effective date of this act.

33 NEW SECTION. **Sec. 3.** If any provision of this act or its  
34 application to any person or circumstance is held invalid, the  
35 remainder of the act or the application of the provision to other  
36 persons or circumstances is not affected.

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