

receive service credit according to the rules of the system as though the member were not retired and receiving benefits.

(3) When a member who retires pursuant to this section separates from service or dies while still employed, the department shall recalculate the retirement benefit for the sole purpose of taking into consideration the additional service credit and compensation history. No change in the survivor option and related beneficiary designation originally selected by the member shall be allowed except as otherwise authorized by the member's system.

(4) This section applies only to persons who attain age seventy and one-half years on or after January 1, 1988.

NEW SECTION. Sec. 3. This act shall take effect January 1, 1989.

Passed the House February 15, 1988.

Passed the Senate March 4, 1988.

Approved by the Governor March 15, 1988.

Filed in Office of Secretary of State March 15, 1988.

CHAPTER 60

[Engrossed Senate Bill No. 6093]

PRESENTENCE REPORTS OF SEXUAL OFFENDERS

AN ACT Relating to presentence reports; amending RCW 9.94A.110; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 11, chapter 137. Laws of 1981 as last amended by section 34, chapter 257, Laws of 1986 and RCW 9.94A.110 are each amended to read as follows:

Before imposing a sentence upon a defendant, the court shall conduct a sentencing hearing. The sentencing hearing shall be held within forty court days following conviction. Upon the motion of either party for good cause shown, or on its own motion, the court may extend the time period for conducting the sentencing hearing. The court shall order the department to complete a presentence report before imposing a sentence upon a defendant who has been convicted of a felony sexual offense. The department of corrections shall give priority to presentence investigations for sexual offenders. The court shall consider the presentence reports, if any, including any victim impact statement and criminal history, and allow arguments from the prosecutor, the defense counsel, the offender, the victim, the survivor of the victim, or a representative of the victim or survivor, and an investigative law enforcement officer as to the sentence to be imposed. If the court is satisfied by a preponderance of the evidence that the defendant has a criminal history, the court shall specify the convictions it has found to exist. All of this information shall be part of the record. Copies of all presentence reports

presented to the sentencing court and all written findings of facts and conclusions of law as to sentencing entered by the court shall be sent to the department by the clerk of the court at the conclusion of the sentencing and shall accompany the offender if the offender is committed to the custody of the department. Court clerks shall provide, without charge, certified copies of documents relating to criminal convictions requested by prosecuting attorneys.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 9, 1988.

Passed the House March 3, 1988.

Approved by the Governor March 15, 1988.

Filed in Office of Secretary of State March 15, 1988.

CHAPTER 61

[Engrossed Substitute House Bill No. 1388]

EMERGENCY LODGING FOR HOMELESS PERSONS—TAX REVISIONS

AN ACT Relating to excise taxation on lodging; adding a new section to chapter 82.08 RCW; adding a new section to chapter 67.28 RCW; adding a new section to chapter 67.40 RCW; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to emergency lodging provided for homeless persons for a period of less than thirty consecutive days under a shelter voucher program administered by an eligible organization.

(2) For the purposes of this exemption, an eligible organization includes only cities, towns, and counties, or their respective agencies, and groups providing emergency food and shelter services.

NEW SECTION. Sec. 2. A new section is added to chapter 67.28 RCW to read as follows:

(1) The tax levied by RCW 67.28.180 and 67.28.182 shall not apply to emergency lodging provided for homeless persons for a period of thirty consecutive days under a shelter voucher program administered by an eligible organization.

(2) For the purposes of this exemption, an eligible organization includes only cities, towns, and counties, or their respective agencies, and groups providing emergency food and shelter services.