

**Summary of Legislative Bill Proposals  
As of 2/11/2021**

<p><b>HB 1499 - Providing behavioral health system responses to individuals with substance use disorder</b></p> <p><b>2/12/21 Public hearing: Pub Safety @ 10a</b></p>	<p><b>Part II - Expansion of substance use disorder treatment and recovery support services</b></p> <p>&gt; HCA shall establish a substance use recovery services plan; shall establish the substance use recovery service advisory committee to advise HCA in development of the plan; details funding for the plan.</p> <p><b>Part III - Elimination of criminal penalties for possession of personal use amounts of controlled substances, counterfeit substances, and legend drugs</b></p> <p>&gt; Creates process to determine rules establishing maximum person use amounts and creates definition of personal use amounts.</p> <p>&gt; Makes it legal to possess a controlled substance or create, deliver or possess a counterfeit substance or sell, deliver, or possess any legend drug in personal use amount; to use drug paraphernalia when used to prepare, test, store, inject, ingest, or otherwise introduce into the body a personal use amount of controlled substance other than marijuana.</p> <p>&gt; Permits social service agency or health care agency to possess and distribute drug paraphernalia to others for personal use.</p> <p>&gt; Adds suffering from a substance use disorder to the times when a LEO is authorized and encouraged to use an alternative to arrest such as referring individual to crisis response services.</p> <p>&gt; Adds training on interaction with persons with substance use disorders to basic LE training.</p> <p>&gt; Allows a person convicted of Possession of a CS or Counterfeit Substance before 12/2/22 to apply to the sentencing court for a vacation of the conviction, regardless of whether the person completed any sentencing conditions or received a certificate of discharge (pertains to RCW 69.50.401, .4011, .4013).</p> <p>&gt; Allows a person convicted of Possession of a CS, Counterfeit Substance or Legend Drug, or use of drug paraphernalia before 12/1/22 may apply for vacation of the conviction, regardless of whether the person completed any sentencing conditions (applies to RCW 69.50.4011, .4013, .4014, .412(1), 69.41.030).</p>
<p><b>HB 1384 - Raising the seriousness levels of rape of a child and child molestation offenses</b></p> <p><b>2/12/21 Public hearing: Pub Safety @ 10a</b></p>	<p>Increases Seriousness levels:</p> <p>&gt; Rape of a Child 1 from XII to XIII</p> <p>&gt; Rape of a Child 2 from XI to XII</p> <p>&gt; Child Molestation 1 from X to XI</p> <p>&gt; Child Molestation 2 from VII to VIII</p> <p>&gt; Rape of a Child 3 from VI to VII</p> <p>&gt; Child Molestation 3 from V to VI</p>

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<p><b>SHB 1186 - Concerning juvenile rehabilitation</b> <b>DCYF Request bill</b> <b>2/5/21 SGC waiting to hear if local fiscal impacts are known.</b> <b>Commerce: I don't see any local fiscal impacts since the costs would be borne by DCYF. I see from the bill report that WASPC and WAPA had policy concerns however.</b> <b>Bill Status: 1/28/21 CY&amp;F moved substitute bill out of committee.</b> <b>2/9/21 Public Hearing: Approps @ 3:30p</b></p>	<ul style="list-style-type: none"> <li>&gt; Replaces EHM with community transition services, defined as a therapeutic and supportive community-based custody option where a person will serve a portion of confinement term in the community while under DCYF supervision.</li> <li>&gt; Persons are eligible to be on community transition services after 60% of min confinement term has been served, the person has an earned release date that is before their 26th birthday, and DCYF determines such placement is in the best interest of the person and community.</li> <li>&gt; Community transition services option excludes those with pending charges or warrants; Level 3 sex offenders; and those requiring out-of-state placement.</li> <li>&gt; Provides access to treatment and programming to those places in community transition services</li> <li>&gt; Effective date is the data on which rules adopted by DCYF or 7/1/22, whichever is earlier.</li> </ul>
<p><b>SSB 5180 - Vacating certain convictions</b> <b>1/29/21 SGC voted to table - concerns about conflict with HB 1293</b> <b>Bill Status: 2/4/21 L&amp;J moved substitute bill out of committee and passed to Rules</b></p>	<ul style="list-style-type: none"> <li>&gt; Creates definitions for "Victim of domestic violence" and "Victim of sexual assault"</li> <li>&gt; Adds language allowing victims of sex trafficking, prostitution, commercial sexual abuse of a minor, sexual assault, or domestic violence, or the prosecuting attorney of the county in which the victim was sentenced to apply to the sentencing court to vacate the victim's record of conviction for a class B or class C felony offense.</li> <li>&gt; <b>Adds clarification that prosecutor is not providing legal assistance on behalf of the victim when filing to vacate conviction.</b></li> </ul>

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<p><b>SB 5047 - Reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder</b></p> <p><b>AG Request Bill</b></p> <p><b>Bill Status: 1/11/21 First reading L&amp;J</b></p>	<p><u>RCW 10.95.030</u> - Eliminates subsection 2 of this statute thereby removing the ability to assign a sentence of death. Also repeals other statutes related to death penalty sentencing and execution.</p>
<p><b>SB 5099 - Ensuring that offenders who are incarcerated and commit murder may be changed with the death penalty</b></p> <p><b>Bill Status: 1/11/21 First reading L&amp;J</b></p>	<ul style="list-style-type: none"> <li>&gt; Adds language that requires the prosecuting attorney to forward a request for review to the death penalty review panel for determination of whether death penalty should be sought, based on majority of members, when a person is charged with Aggr Mur and the crime occurred while the person was already serving a term of incarceration.</li> <li>&gt; Creates a death penalty review panel which the attorney general shall convene.</li> </ul>