



STATE OF WASHINGTON

SENTENCING GUIDELINES COMMISSION

Helen Sommers Building, PO Box 43124 • Olympia, Washington 98504-3124 • (360) 902-0425

AGENDA

April 2, 2021 12:00pm – 1:00pm

MS Teams

I. CALL TO ORDER

Chair Saint Clair

II. [SB 5476](#) – Addressing the State v. Blake decision

Some of the changes in the bill:

- Adds personal use amount limits for controlled substances to the definitions under Chapter 69.50 RCW.
- Modifies the definition of unlawful possession of a counterfeit substance offense to knowingly possess more than a personal use amount or for a person under the age of 21 to knowingly possessing any amount. Also adds that a person who possesses a counterfeit substance in an amount that does not exceed the personal amount may be referred to a forensic navigator for evaluation and services.
- Modifies the definition of unlawful possession of a controlled substance offense to knowingly possess more than a personal use amount or for a person under the age of 21 knowingly possessing any amount. Makes possession by a person under 21 a gross misdemeanor. Also adds that a person who possesses a counterfeit substance in an amount that does not exceed the personal amount may be referred to a forensic navigator for evaluation and services.
- Modifies the definitions of unlawful possession of drug paraphernalia and unlawful deliver, possess with intent to deliver, or mfg with intent to deliver drug paraphernalia by removing specified methods used to introduce a controlled substance other than marijuana into the body.
- Creates a new class 2 civil infraction for unlawful consumption of a counterfeit substance or opening of a package containing a counterfeit or controlled substance in view of the general public.
- Modifies the definition of unlawful possession of a legend drug to knowingly possess more than a personal use amount or a person under the age of 21 knowingly possessing any amount.
- Adds new section that states a forensic navigator may be used as a resource for LE to serve as a care coordinator for SUD resources.
- Creates the State v Blake reimbursement account in the state treasury.