

Status of Legislative Bills With SGC Position

Bill	Passed out of House of Origin?	Current Status	SGC Position	Notes on amendments (red) to the bill
1044 2SHB - Creating prison to postsecondary education pathways	2/25/21 Passed House (96-2)	3/11/21 Public hearing: HSR&R @ 1:30p	1/15/21 SGC voted to Support (unanimous)	
1078 ESHB - Restoring voter eligibility for all persons convicted of a felony offense who are not in total confinement under the jurisdiction of the DOC	2/24/21 Passed House (57-41)	3/10/21 Public hearing: State Govt & Elections @ 8a	1/8/21 SGC voted to support	
1186 E2SHB - Concerning juvenile rehabilitation	3/3/21 Passed House (61-36-1)	3/18/21 Public hearing: HSR&R @ 1:30p	DCYF Request bill 2/12/21 SGC voted to support	> Persons are eligible to be on community transition services after 60% of min confinement term has been served and no less than 15 weeks of total confinement served including time spent in detention prior to sentencing , 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. > Community transition services option excludes those with pending charges or warrants; Persons who will be transferred to, are in the custody of, or under supervision of DOC; Persons adjudicated or convicted of Murder 1/2; Persons who meet the definition of persistent offender; Level 3 sex offenders; and those requiring out-of-state placement. > Requires the Washington Partnership Council on Juvenile Justice to convene stakeholders to develop recommendations regarding improving outcomes for individuals exiting the juvenile detention facility or institution.
1282 SHB - Concerning allowed earned time	2/11/21 Public Safety passed sub	3/15/21 Public hearing: H	DOC Request bill Partial CSTF Rec	RCW 9.94A.729 > Modifies language allowing good time credits or earned

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for certain offenses	bill	Approps @ 3:30p	#16 (excl %ERT) 11/13/20 SGC voted to support application of ERT on enhancements and 33% ERT	release time on portion of sentence resulting from any deadly weapon, impaired driving, or minor child enhancements. Adds that a person may receive good time credits and earned release time on the enhancement portion at the same rate allowed for the underlying offense. > Changes all amounts of earned release time to one-third. > Allows mand min terms to be eligible for ERT. > Eff 1/1/22 > Applied retroactively and prospectively > New language allows all sentencing enhancements to be subject to ERT provisions.
1348 SHB - Providing medical assistance to incarcerated persons	2/26/21 Passed House (97-0-1)	3/11/21 Public hearing: HSR&R @ 1:30p	1/29/21 SGC voted to support (unanimous)	> Adds that during the first 29 days of incarceration in a correctional facility, a person's incarceration status may not affect enrollment in medical assistance if enrolled at the time of incarceration; a person not enrolled at the time of incarceration must have the ability to apply during incarceration, which may depend on the person's release date; after 29 days of incarceration, the person's medical assistance status is subject to suspension or application in suspense status. > Gives HCA authority to seek necessary state plan amendments or waivers from the federal Dept of Health and Human Services to implement this section. > If any part of the act is found to be in conflict with federal requirements, the conflicting part is inoperative solely to the extent of the conflict. This finding does not affect the operation of the remainder of the act.

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1399 HB - Reducing barriers to professional licensure for individuals with previous criminal convictions	3/1/21 Passed House (98-0)	3/18/22 Public hearing: Bus, Fin Svs & Trade @ 8a	2/5/21 SGC voted to support (unanimous)	
5035 SSB - Concerning offender drug scoring	2/25/21 Passed Senate (27-19-3)	2/27/21 First reading in Public Safety	1/22/21 SGC voted to support (unanimous)	> Adds language that restricts the inclusion of a conviction under Chapter 69.50 RCW or any similar out of state conviction for the crime of simple possession or solicitation, conspiracy, or attempt to possess; or under RCW 9A.28.020 - .040 for the crime of solicitation, conspiracy, or attempt to deliver if it has been more than 5 yrs since the entry of judgment and sentence in the calculation of the criminal history score. The exception is for crimes of manufacturing, delivering, or possessing with intent to manufacture a controlled substance under Chapter 69.50 RCW.
5118 ESSB - Supporting successful reentry	2/26/21 Passed Senate (32-14-3)	3/15/21 Public hearing: CY&F @ 1:30p	1/29/21 SGC voted to support (unanimous)	<u>RCW 9.98.010</u> - Excludes certain time periods from the 120-day calculation related to the time period in which one is brought to trial. <u>RCW 36.70A.200</u> - Adds community facilities as defined in RCW 72.05.020 to the definition of essential public facilities. <u>New Section</u> - Requires DOC to send written notice at least 30 days before release to a person's health care insurance provider, or assist the person in obtaining coverage.

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5121 ESSB - Expanding eligibility for the graduated reentry program	2/3/21 Passed Senate (28-21-0)	3/16/21 Public hearing: Public Safety @ 8a	DOC Request Bill 11/13/20 SGC voted to support	<p>> Requires individuals to serve at least 6 mos in total confinement in order to participate in the GRE program; person may serve no more than final 5 mos in partial confinement in GRE; those subject to a deportation order, civil commitment or interstate compact are not eligible for EHM.</p> <p>> Those serving a term of confinement for any sex, violent, or crime against a person offense may not participate in GRE unless they served at least 4 mos in total confinement; not eligible for EHM.</p> <p>> Changes to restrictions on partial confinement and GRE are to be applied prospectively and retroactively to persons currently serving a sentence.</p>
5122 ESSB - Concerning the jurisdiction of juvenile court	3/4/21 Senate passed sub bill (27-21-1)	3/15/21 Public hearing: CY&F @ 1:30p	1/8/21 SGC voted to support	> Creates the Raise the Age Juvenile Justice Task Force to consider and provide recommendations on expansion of juvenile jurisdiction to include persons 18 and 19 years old.

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5164 ESB - Resentencing of individuals sentenced as a persistent offender due to a robbery 2 conviction	3/1/21 Passed Senate (28-21-0)	3/19/21 Public hearing: Public Safety @ 10a	1/29/21 SGC voted to support (unanimous)	<p>New Section - Requires any person sentenced as a persistent offender before 7/28/19 with a current or past conviction for Rob 2 was used as a basis for the finding of persistent offender to have a resentencing hearing. At resentencing, the court shall sentence the person as if Rob 2 was not a most serious offense at the time the original sentence was imposed. Section expires 7/1/2023. For purposes of resentencing under this section or sentencing any person as a persistent offender after the effective date of this section, Rob 2 shall not be considered a most serious offense regardless of whether offense was committed before, on or after the effective date of Chapter 187, Law of 2019.</p> <p>> <u>RCW 9.94A.345</u> - add the exception as otherwise provided in this chapter that any sentence imposed shall be determined in accordance with the law in effect when the current offense was committed.</p>
5180 ESSB - Vacating certain convictions	2/24/21 Passed Senate (48-0-1)	3/11/21 Public hearing: Public Safety @ 1:30p	2/12/21 SGC voted to support	<p>> Adds language allowing victims of sex trafficking, prostitution, commercial sexual abuse of a minor, sexual assault, or domestic violence to apply to the sentencing court, or the prosecuting attorney of the county in which the victim was sentenced may <u>exercise discretion</u> to apply on the victim's behalf to vacate the victim's record of conviction for a <u>misdemeanor, gross misdemeanor</u>, class B or class C felony offense.</p> <p>> Adds clarification that prosecutor is not providing legal assistance on behalf of the victim when filing to vacate conviction.</p>

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5293 2SSB - Addressing mental health sentencing alternatives	3/5/21 Passed Senate (48-0-1)	3/19/21 Public hearing: Public Safety @ 10a	CSTF Recommendation #6 2/5/21 SGC voted to support (unanimous)	<p><u>New Section</u> - Creates the Mental Health Sentencing Disability Mandated Observation and Treatment Alternative</p> <p>> Eligibility: conviction is not for a serious violent offense or sex offense; diagnosis of serious mental illness recognized by DSM severe and persistent MH issue; defendant and community would benefit from supervision and treatment; sentence includes incarceration; and defendant is willing participant.</p> <p>> Court must consider victim's opinion on sentencing alternative. If court deems sentence is appropriate, it will waive imposition of sentence within standard range and impose a community custody term as follows:</p> <ul style="list-style-type: none"> - Midpoint of Std Range 0 - 36 mos = Comm Cust Term between 12 - 24 mos - Midpoint of Std Range >36 mos = Comm Cust Term between 12 and 36 mos <p>> Costs of examinations and preparing treatment plans may be paid from the Criminal Justice Treatment Account.</p>
5304 E2SSB - Providing reentry services to persons releasing from state and local institutions	3/5/21 Passed Senate (48-0-1)	3/7/21 First reading Health Care & Wellness	CSTF Rec #29 (cty of origin) 1/22/21 SGC voted to support (unanimous)	

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5361 SSB - Concerning the resentencing of persons convicted of drug offenses	3/5/21 Passed Senate (48-0-1)	3/7/21 First reading Public Safety	2/5/21 SGC voted unanimously to oppose 2/12/21 SGC voted to support an amended bill that eliminates restricting crime categories	<p><u>RCW 9.94A.519</u></p> <p>> Modifies language so that at a resentencing, the court shall sentence the person "based on sentencing guidelines in effect on the effective date of this section current sentencing guidelines pursuant to RCW 9.94A.517 and does not result in a sentence that is longer than the high end of the standard range on the current drug sentencing grid"</p> <p>> Changes categories of offenses that are restricted from resentencing from most serious offense and violent offense to serious violent offense, violent offense, or sex offense or any crime involving a child.</p>
1071 HB - Concerning bias-based criminal offenses	1/28/21 Public Safety passed	2/17/21 Returned to Rules for 2nd reading	1/15/21 SGC voted to Support w/note	<p><u>RCW 9.94A.411</u> - Adds Hate Crime offense (RCW 9A.36.080) to the list of Crimes Against Persons</p> <p><u>RCW 9.94A.535</u> - Adds to the list of aggravating factors when the current offense is not a hate crime but the defendant's conduct was motivated by a perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability.</p>
1126 2SHB - Limiting tolling of community custody terms	1/28/21 Public Safety passed sub bill 2/11/21 Approps passed sub bill	2/15/21 Ref'd to Rules 2 Review	DOC Request Bill 11/13/20 SGC voted to support	<p>> Modifies statute so that community custody shall be tolled by DOC when a secretary's warrant has been issued; when a bench warrant has been issued by the court; when a person is serving confinement time as part of the original sentence, including time served on sanctions that result in the imposition of the remaining sentence; when a person is serving confinement time for a subsequent felony conviction, including presentence confinement.</p> <p>> Adds language that if specific funding is not provided by 6/30/21, the act is null and void.</p>

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1169 SHB - Concerning sentencing enhancements	1/29/21 Pub Safety passed sub bill 2/17/21 Approps passed bill	3/10/21 Returned to Rules for 2nd reading.	CTSF Rec #14 (Street Gang Enh) and #16 (Enh get ERT and partial conf) 11/13/20 SGC voted to support application of ERT on enh per DOC's draft language	> Removes provisions that enhancements shall be served in total confinement except for Veh Hom-DUI and Minor Passenger enhancements which must be served in total confinement if the person has 3 or more prior offenses as defined in RCW 46.61.5055 ; removes the requirement that firearm and deadly weapon enhancements shall be served consecutively; adds language allowing the court to order enhancements to run consecutively; eliminates language where a firearm or deadly weapon enhancement term may not be reduced if it increases the sentence beyond the stat max; > Eliminates the criminal street gang enhancement
1307 HB - Concerning the drug offense sentencing grid	2/11/21 Pub Safety passed bill	2/15/21 Ref'd to Approps	1/22/21 SGC voted OTHER w/note	
1412 2SHB - Concerning legal financial obligations	2/10/21 H Civil Rights & Jud passed sub bill 2/22/21 Approps passed sub bill	2/22/21 Ref'd to Rules 2 Review	CSTF Recommendation #40-#44, #46 1/29/21 SGC voted to support (unanimous)	> Modifies that the superior court may extend the criminal judgment an additional 10 years for restitution and nonrestitution LFOs only if the court finds the person has current or likely future ability to pay the restitution > Modifies the date restitution shall bear interest to include the person's date of release from total confinement in addition to the date of judgment, whichever is later; all restitution interested that is outstanding on the effective date of this section , and accrued prior to 6/7/2018 shall be automatically waived without upon motion of the defendant. > Establishes a standard of " current or likely future ability to pay ".

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1413 HB - Scoring of prior juvenile offenses in sentencing range calculations	2/15/21 Pub Safety passed bill	2/15/21 Ref'd to Rules 2 Review	2/5/21 SGC voted to support (unanimous)	
1499 SHB - Providing behavioral health system responses to individuals with substance use disorder	2/15/21 Pub Safety passed sub bill	2/15/21 Ref'd to Approps	2/12/21 SGC voted to support w/note	Part II - Expansion of substance use disorder treatment and recovery support services Part III - Elimination of criminal penalties for possession of personal use amounts of controlled substances, counterfeit substances, and legend drugs > Effective date of decriminalization and HCA adoption of rules on maximum personal amount changed to 2023.
5120 SSB - Concerning the criminal sentencing of youth and young adults	1/22/21 HSR&R passed sub bill	1/25/21 Passed to Rules for 2nd reading	1/15/21 SGC voted to support	<u>RCW 9.94A.533</u> - Modifies language so that when a person being sentenced in adult court for a crime committed under age 18, the court must consider the mitigating factors relating to their youth. The court has full discretion to depart from mandatory sentencing enhancements, mandatory minimums, and the standard range sentence to impose any lesser sentence.

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5123 SSB - Creating a developmentally appropriate response to youth who commit sexual offenses	2/5/21 HSR&R passed sub bill	3/5/21 Rules Cmte relieved of further consideration. Placed on 2nd reading.	1/8/21 SGC voted to support	<p><u>Part I</u> - Defines 'adult' to be a person who is 18 yrs or older who is convicted in adult court pursuant to RCW 13.04.030(1)(e)(v). Removes all juvenile references and adds language that the duty to register does not apply to offenses committed when a person is under 18 unless the person is convicted in adult court, committed a clas A/B sex offense at age 16/17; committed a sex offense and at the time had a prior sex offense conviction or deferred disposition; has an out of state, tribal or federal conviction; or committed a kidnapping offense. This is to be applied retroactively and Any legal obligation is extinguished for those individuals who committed a sex offense while under age 18 and do not have the duty to register. any person based on an offense committed under the age of 18 unless the conviction is in the exclusive jurisdiction of adult court.</p>
5248 SB - Establishing the joint legislative task force on jail standards	2/2/21 HSR&R passed	2/3/21 Ref'd to W&M	1/8/21 SGC voted to support	
1293 HB - Reducing unduly harsh sentences for offenses committed by domestic violence survivors		2/2/21 Public hearing: PubSafety @ 8a	CSTF Rec #7 1/29/21 SGC voted to support (unanimous)	
1344 HB - Allowing qualifying persons serving long sentences committed prior to reaching 25 years of age to seek review for possible release from incarceration		2/15/21 Executive session scheduled but no action was taken	2/5/21 SGC voted to support (unanimous)	

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1384 HB - Raising the seriousness levels of rape of a child and child molestation offenses		2/12/21 Public hearing: Pub Safety @ 10a	2/12/21 SGC voted to oppose w/note	
5047 SB - 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		1/11/21 First reading L&J	AG Request Bill 1/15/21 SGC voted to table until hearing is scheduled	
5099 SB - Ensuring that offenders who are incarcerated and commit murder may be charged with the death penalty		1/11/21 First reading L&J	1/15/21 SGC voted to table until hearing is scheduled	
5301 SB - Creating the corrections and public safety account		1/20/21 First reading HSR&R	1/22/21 SGC voted to oppose and suggest savings should be directed to reinvestments in client services	

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5307 SB - Establishing the uniform pretrial release and detention act		2/1/21 Public hearing: L&J @ 9:30a	Uniform Law Commission request bill 1/29/21 SGC voted to table - too many concerns; need more information	
5339 SB - Concerning juvenile records		1/28/21 Public Hearing HSR&R @ 1:30p	1/29/21 SGC voted to support	
5407 SB - Concerning firearm theft		2/2/21 First reading L&J	2/5/21 SGC voted to oppose (unanimous) w/noted concerns	
1294 SHB - Addressing misdemeanor supervision services by limited jurisdiction courts	2/24/21 Passed House (96-0-2)	3/11/21 Public hearing: L&J @ 10:30a	1/22/21 SGC decided to monitor	
5036 E2SSB - Concerning conditional commutation by the clemency and pardons board	3/1/21 Passed Senate (27-21-1)	3/16/21 Public hearing: Public Safety @ 8a	1/22/21 SGC decided not to take a position	> Eligible if not under jurisdiction of ISRB; has served 20+ yrs in total confinement, or 15 yrs if Rob 2 was third conviction toward a persistent offender sentence, or 25 yrs if sentenced under Chapter 10.95 RCW; consents to review of medical, mental health and dept files; does not have any current appeals pending.

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