

**Summary of Legislative Bill Proposals  
As of 1/20/2022**

<p><b><u>SB 5572</u> - Implementing the recommendations of the WA state internet crimes against children task force</b></p> <p><b>Position: CON w/note that SGC does not take a position on creation of offenses but opposes ranking juvenile offenses on the adult standard grid.</b></p>	<p><b>RCW 9.68A.040</b> - Adds to the definition of Sexual Exploitation of a Minor that the person "knowingly causes a minor to be photographed or part of a live performance which depicts the minor engaged in sexually explicit conduct where the minor is unconscious or unaware of the photograph or recording".</p> <p><b>RCW 9.68A.053</b> - Modifies the definition of Minor Selling Depictions of Him/Herself Engaged in Sexually Explicit Conduct so that visual or printed matter does not include depiction of another minor engaged in sexually explicit conduct.</p> <p><b>RCW 9.94A.515</b> -</p> <ul style="list-style-type: none"> <li>&gt;Minor Dealing in Depictions of Another Minor 12 yrs or younger engaged in Sexually Explicit Conduct 1 ranked at SL 7</li> <li>&gt;Minor Dealing in Depictions of Another Minor 12 yrs or younger engaged in Sexually Explicit Conduct 2 ranked at SL 5</li> <li>&gt;Minor Financing or Selling Depictions of Another Minor Engaged in Sexually Explicit Conduct ranked at SL 5</li> </ul> <p><b>Note from Senator Dhingra: placement on adult grid was related to concern about cases where charging was delayed for 17/18 year olds. Given the work of the grid group (CSTF), she is going to keep as unranked offenses.</b></p>
<p><b><u>HB 1678</u> - Creating a domestic violence offender registry</b></p> <p><b>1/28/22 Public Hearing: H Public Safety @ 10a</b></p>	<p><b>Requires WSP to maintain a central registry of individuals with serious DV (SDV) adult convictions or juvenile adjudications.</b></p> <ul style="list-style-type: none"> <li>- Defines qualifying DV offense and serious DV offender.</li> <li>- Registry will be available to public.</li> <li>- Creates rules as to how long person designated as SDV will remain on registry. <ul style="list-style-type: none"> <li>- Indefinitely = qualifying offense is Class A offense or similar fed/out of state offense</li> <li>- 15 yrs = qualifying offense is Class B offense and in community for 15 consecutive yrs without felony or DV conviction</li> <li>- 10 yrs = in community for 10 consecutive yrs without felony or DV conviction</li> </ul> </li> <li>- Individuals may request WSP to determine if registration period has ended and individual can be removed from registry or petition the court for removal from registry.</li> <li>- Individuals must provide copy of application to change their name to WSP and may be denied the change.</li> </ul>
<p><b><u>HB 1758</u> - Increasing the penalty for hazing</b></p> <p><b>1/28/22 Public Hearing: H Public Safety @ 10a</b></p>	<p><b>RCW 28B.10.901</b></p> <ul style="list-style-type: none"> <li>- increases penalty for hazing from misd to gross misd</li> <li>- creates a new class C felony when hazing causes substantial bodily harm</li> </ul> <p><b>RCW 9.94A.515</b> - ranks hazing causing substantial bodily harm as a SL 3 offense</p>

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<p><b><u>HB 1844</u> - Creating the offense of unlawful branding of another person</b>  <b>1/28/22 Public Hearing: H Public Safety @ 10a</b></p>	<p><b>New Section</b> - creates a new class B felony for unlawful branding of another person  <b>RCW 9.94A.515</b> - ranks unlawful branding of another person as a SL 10 offense  <b>RCW 9A.04.080</b> - adds unlawful branding of another person to the list of offenses that may be prosecuted up to 10 yrs after commission or up to 30th birthday if victim was under 18.</p>
<p><b><u>HB 1848</u> - Concerning crimes concerning fraud in assisted reproduction</b>  <b>1/25/22 Public Hearing: H Public Safety @ 8a</b></p>	<p><b>New Section</b>  - creates a new class C felony for false representation in assisted reproduction when:  &gt; a person knowingly provides false information to a patient;  &gt; a health care provider knowingly uses or provides human reproductive material for assisted reproduction other than the material the health care provider agreed to be used or provided in writing;  &gt; a health care facility, gamete bank or fertility clinic provides material other than what was agreed to be provided, disregards agreements between donor and licensed entity, or fails to make a good faith effort to provide a child conceived by assisted reproduction with a donor's identifying information as required under RCW 26.26A.820.  - each incidence of false representation constitutes a separate offense.  <b>RCW 9A.04.080</b> - adds false representation in assisted reproduction to the list of offenses that may not be prosecuted more than 6 yrs after its commission or discovery.  <b>RCW 9A.36.031</b> - adds to the definition of assault 3 to implant gametes or reproductive material into a patient without the patient's written consent.  <b>RCW 9.94A.515</b> - ranks false representation in assisted reproduction as a SL 1 offense</p>
<p><b><u>SB 5495</u> - Concerning catalytic converters</b>  <b>1/25/22 Public Hearing: S Law &amp; Justice @ 10:30a</b></p>	<p><b>RCW 19.290.070</b>  - creates a new gross misd for any scrap metal business to purchase or receive stolen private metal property. Each offense is a civil infraction punishable by a \$1,000 fine.</p>

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<p><b><a href="#">HB 1873</a> - Concerning crimes involving catalytic converter theft</b></p>	<p><b>RCW 19.290.070</b></p> <ul style="list-style-type: none"> <li>- creates a new class C felony for second or subsequent violation of unlawful removal, alteration, or obliteration of identifying information of metal property in order to deceive a scrap metal business.</li> <li>- creates a new class C felony for second or subsequent violation of unlawful transaction to purchase or receive metal property where the identifying information has been deliberately and conspicuously removed or altered.</li> <li>- creates a new gross misd for any scrap metal business to purchase or receive stolen private metal property. Each offense is a civil infraction punishable by a \$1,000 fine.</li> <li>- creates a new gross misd for any owner, partner or employee of a scrap metal business to purchase or receive stolen private metal property. Each offense is a civil infraction punishable by a \$1,000 fine.</li> </ul> <p><b>RCW 9.94A.515</b></p> <ul style="list-style-type: none"> <li>- ranks unlawful removal, alteration, or obliteration of identifying information of metal property (second or subsequent offense) as a SL 2 offense.</li> <li>- ranks unlawful transaction to purchase or receive metal property (second or subsequent offense) as a SL 2 offense.</li> </ul> <p><b>New Section</b> - creates a special allegation to be pled and proven, when defendant has been convicted of theft 2, that the defendant stole private metal property for the purpose of selling, transferring, or exchanging it online.</p> <p><b>RCW 9.94A.533</b> - creates a 12 month enhancement to be added to the standard range for selling, transferring or exchanging online stolen private metal property.</p> <p><b>RCW 36.28A.240</b> - adds theft of catalytic converters to the grant program established by WASPC to assist local law enforcement with special enforcement emphasis targeting metal theft.</p>
<p><b><a href="#">HB 1994</a> – Concerning crimes involving catalytic converter theft</b></p>	<p><b>RCW 9A.56.040</b> - adds language that a second or subsequent violation of Theft 2 related to commercial metal property, nonferrous metal property or private metal property between \$750 - \$5,000 increases from a class C to a class B felony. Defines a first violation to include a conviction for a violation of RCW 9A.56.0505 or equivalent local ordinance if conviction was originally charged as Theft 2 related to commercial metal property, etc.</p> <p><b>RCW 9.94A.515</b></p> <ul style="list-style-type: none"> <li>- ranks Theft 2 - second or subsequent offense at SL 3</li> <li>- ranks Theft 2 - commercial metal property at SL 2</li> </ul> <p><b>New Section</b> - creates special allegation when defendant is convicted of Theft 2 and engaged in confrontation with the property owner or a 3rd party attempting to prevent the theft from occurring.</p> <p><b>RCW 9.94A.535</b> - creates a 12 month enhancement to be added to standard sentence range related to Theft 2 special allegation finding.</p>

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<p><b><a href="#">SB 5667</a> - Concerning the possession and use of forged and falsified COVID-19 vaccination documents</b> <b>1/24/22 Public Hearing: S Law &amp; Justice @ 9:30a</b></p>	<p><b>New Section</b></p> <ul style="list-style-type: none"> <li>- creates new misd offense of presenting a false vaccination document.</li> <li>- creates new unranked class C felony offense of selling, possessing with intent to sell a vaccination document that falsely purported to be a verification issued by a govt agency.</li> </ul>
<p><b><a href="#">SB 5686</a> - Improving department of corrections operations and oversight by transferring the office of corrections ombuds to the department of social and health services and designating public safety as the department of corrections highest duty</b> <b>1/27/22 Public Hearing: S Human Services, Reentry &amp; Rehabilitation @ 1:30p</b></p>	<p>Moves the Office of Corrections Ombuds to DSHS which will contract with a nonprofit organization to run the office.</p> <p><b>RCW 72.09.010</b> - modifies language that the "highest duty of the department and the secretary is to" ensure public safety.</p>
<p><b><a href="#">SB 5674</a> - Concerning the graduated reentry program at the department of corrections</b></p>	<p><b>RCW 9.94A.733</b></p> <ul style="list-style-type: none"> <li>- Removed language excluding certain persons from participating in the graduated reentry program.</li> <li>- Adds language that no more than final 6 mos of term (down from 18 mos) may be served in partial confinement as home detention in GRE. Persons must serve at least 12 mos (up from 4 mos) in total confinement in a state correctional facility to participate in GRE.</li> </ul> <p><b>SGC voted to support ESSB 5121 (2021) which expanded the eligibility of the GRE program</b></p>

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<p><b><a href="#">SB 5780</a> - Altering eligibility for the graduated reentry program</b></p>	<p><b>RCW 9.94A.733</b>            - changes participation criteria related to time a person must serve in total confinement from at least 6 to at least 12 months.            - changes the amount of time a person can serve in partial confinement in GRE program from 5 to 4 months.            - modifies the exclusion criteria for program eligibility:              *from currently serving a term for any sex offense to having a prior or current conviction for a sex offense;              *from currently serving a term for any viol offense to having a prior or current conviction for a viol offense;              *from currently serving a term for any crime against a person to having a prior or current conviction for a crime against a person.  <b>RCW 9.94A.728</b> - changes the amount of time that may be served in partial confinement as part of GRE program from 5 to 4 months.</p> <p><b>SGC voted to support ESSB 5121 (2021) which expanded the eligibility of the GRE program</b></p>
<p><b><a href="#">SB 5592</a> - Eliminating the cost of supervision assessments charged to offenders</b>  <b>Had public hearing 1/14</b></p>	<p><b>RCW 9.94A.74504</b> - removes language allowing DOC to charge persons transferred to WA via interstate compact an application processing fee.  <b>RCW 9.95.214</b> - removes language allowing a county probation dept from collecting supervision intake fees for persons placed on probation for a misd or gross misd.  <b>New Section</b> - repeals RCW 72.11.040 (cost of supervision fund) and RCW 72.04A.120 (parolee supervision intake fees) and RCW 9.94A.780 (offender supervision intake fees).</p>
<p><b><a href="#">HB 1970</a> - Eliminating certain supervision-related fees charged to convicted persons</b></p>	<p><b>RCW 9.94A.74504</b> - removes language allowing DOC to charge persons transferred to WA via interstate compact an application processing fee.  <b>RCW 9.95.214</b> - removes language allowing a county probation dept from collecting supervision intake fees for persons placed on probation for a misd or gross misd.  <b>New Section</b> - repeals RCW 72.11.040 (cost of supervision fund) and RCW 72.04A.120 (parolee supervision intake fees) and RCW 9.94A.780 (offender supervision intake fees).</p>

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<p><b><a href="#">HB 1818</a> - Promoting successful reentry and rehabilitation of persons convicted of criminal offenses</b></p>	<p><b>RCW 9.94A.729</b> - increases the time period persons can receive rental vouchers from 3 to 6 mos.  <b>RCW 72.02.100</b> - expands who DOC can provide temporary housing assistance to any state correctional facility and expands the time period to receive that assistance from 3 to 6 mos if it will prevent housing instability or homelessness of the person who is released.  <b>RCW 9.94A.74504</b> - removes language allowing DOC to charge persons transferred to WA via interstate compact an application processing fee.  <b>RCW 9.95.214</b> - removes language allowing a county probation dept from collecting supervision intake fees for persons placed on probation for a misd or gross misd.  <b>New Section</b> - repeals RCW 72.11.040 (cost of supervision fund) and RCW 72.04A.120 (parolee supervision intake fees) and RCW 72.11.040 (cost of supervision fund).</p> <p><b>SGC voted to support E2SSB 5304 (2021) that provided reentry services to persons releasing from state and local institutions</b></p>
<p><b><a href="#">SB 5523</a> - Concerning possession of controlled substances</b></p>	<p><b>RCW 69.50.4011</b> - Increases the penalty for knowingly possessing a counterfeit substance from a misdemeanor to an unranked class C felony and encourages prosecutors to divert such cases for a person's first 2 violations.  <b>RCW 69.50.4013</b> - Increases the penalty for knowingly possessing a controlled substance from a misdemeanor to an unranked class C felony and encourages prosecutors to divert such cases for a person's first 2 violations.  <b>RCW 10.31.115</b> - Changes LE ability to offer a referral to assessment and services in lieu of legal system involvement from "shall" to "may".</p>
<p><b><a href="#">SB 5524</a> - Imposing a sentence of life in prison for controlled substances homicide for fentanyl-laced drugs</b></p>	<p><b>RCW 9.9A.540</b> - Adds Controlled Substances Homicide RCW 69.50.415(2)(b) to the list of offenses with a mandatory minimum term of total confinement of no less than 20 years.  <b>RCW 69.50.415</b> - Makes Controlled Substances Homicide when controlled substance used by the person to whom it was delivered recklessly contains fentanyl a class A felony. Controlled Substances Homicide (2)(a) remains a class B felony.  <b>RCW 9.94A.518</b> - Removes Controlled Substances Homicide - fentanyl from SL 3 on drug grid, making it an unranked offense. Controlled Substances Homicide (2)(a) remains DG-3.</p> <p><b>Note: Bill does not rank Cont Sub Hom – Fentanyl.</b></p>

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<p><b><a href="#">HB 1922</a> - Concerning criminal penalties for possession of fentanyl</b></p>	<p><b>RCW 69.50.4013</b> - creates a new class C felony for possession of fentanyl. Expires 7/1/2023  <b>RCW 69.50.4013</b> - creates a new unranked class C felony for unlawful possession of fentanyl without a prescription. Effective 7/1/2023.  <b>RCW 9.94A.518</b> - ranks possession of fentanyl as a SL 1 offense on the drug grid. Expires 7/1/2023  <b>RCW 10.31.115</b> - excludes possession of fentanyl from law enforcement referrals to assessment and services diversion.  <b>RCW 13.40.0357</b> - ranks possession of fentanyl as a level C juvenile disposition offense category and anticipatory category. Expires 7/1/2023</p>
<p><b><a href="#">HB 1937</a> - Concerning fentanyl</b></p>	<p><b>RCW 69.50.4013</b> - creates a new class C felony for possession of fentanyl. Expires 7/1/2023  <b>RCW 69.50.4013</b> - creates a new unranked class C felony for unlawful possession of fentanyl without a prescription. Effective 7/1/2023.  <b>RCW 9.94A.518</b> - ranks possession of fentanyl as a SL 1 offense on the drug grid. Expires 7/1/2023  <b>RCW 13.40.0357</b> - ranks possession of fentanyl as a level C juvenile disposition offense category and anticipatory category. Expires 7/1/2023</p>
<p><b><a href="#">SB 5522</a> - Increasing the penalty for assaulting a law enforcement officer</b></p>	<p><b>RCW 9A.36.031</b>  - Changes classification of Assault 3 from class C to class B only when assault is toward a LEO or employee of LEA, or toward a peace officer with a projectile stun gun.  - Adds a mandatory minimum term of 180 days when convicted of assaulting LEO in furtherance of a riot or unlawful assembly prohibited under Chapter 9A.84 RCW.  <b>RCW 9.94A. 515</b>  - Increases Assault 3 of a Peace Officer with Projective stun gun from SL 4 to 5  - Increases Assault 3 of a LEO from SL 3 to 5</p>
<p><b><a href="#">SB 5711</a> - Concerning repealing an unconstitutional ban on contracting with private prisons in the state of Washington pursuant to the 9th circuit ruling in The Geo Group v. Newsom</b></p>	<p><b>New Section</b> - repeals legislation that prohibits the use of private, for-profit prisons and detention facilities in the state. RCW 70.395.010 (findings - intent); RCW 70.395.020 (definitions); RCW 70.395.030 (prohibition on private incarceration); RCW 70.395.900 (construction); RCW 70.395.901 (effective date).</p>

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<p><b><u>HB 1674</u> - Authorizing sports wagering at cardrooms and racetracks</b></p>	<p><b>New Section</b> - creates a new unranked class B felony for offering a sports pool without a license.  <b>RCW 67.04.010</b> - increases penalty for bribing person having influence over sporting event from gross misd to unranked class B felony.  <b>RCW 67.04.020</b> - increases penalty for accepting a bribe to influence a sporting event from gross misd to unranked class C felony.  <b>RCW 67.04.050</b> - increases penalty for manipulating a sporting event from a gross misd to an unranked class C felony.</p>
<p><b><u>HB 2021</u> - Penalties for offenses related to driving or being in physical control of a motor vehicle while under the influence of more than one intoxicating substance</b></p>	<p><b>RCW 9.94A.525</b> - creates a new 12 month enhancement added to the standard sentence range for Veh Hom-DUI, Veh Aslt-DUI, felony DUI, felony DUI-PC if defendant was under combination of intoxicating liquor and any drug or combination of more than 1 drug at the time of the offense. Enhancement shall be mandatory, served in total confinement, shall run consecutively to all other sentencing provisions for all offenses. Enhancement shall not be reduced of sentence exceeds stat max.  <b>RCW 46.61.5055</b> -adds the following penalties when convicted of RCW 46.61.502/.504 while under the influence of a combination of intoxicating liquor and any drug or combination of drugs:          &gt; use of ignition interlock or other device for an additional 12 mos;          &gt; an additional \$1,000 fine; and          &gt; an additional 10 days of imprisonment to be served consecutively to all other sentencing provisions.  <b>New Section</b> - creates a special allegation that the defendant committed the offense while under the influence of a combination of intoxicating liquor and any drug or a combination of more than one drug.          &gt; the state has the burden or prove special allegation beyond a reasonable doubt.          &gt; If a jury is had, the jury shall find a special verdict as to the special allegation behavior.          &gt; If not jury is had, the court shall make a finding of fact as to the special allegation behavior.</p>