

## Summary of Legislative Bill Proposals As of 1/27/2022

<p><b><a href="#">SB 5572</a> - Implementing the recommendations of the WA state internet crimes against children task force</b></p> <p>1/20 Sub passed out of S Law &amp; Justice</p> <p>1/26 Placed on 2<sup>nd</sup> reading consent calendar by Rules</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><del><b>RCW 9.94A.515</b></del></p> <p>→Minor Dealing in Depictions of Another Minor 12 yrs or younger engaged in Sexually Explicit Conduct 1 ranked at SL 7</p> <p>→Minor Dealing in Depictions of Another Minor 12 yrs or younger engaged in Sexually Explicit Conduct 2 ranked at SL 5</p> <p>→Minor Financing or Selling Depictions of Another Minor Engaged in Sexually Explicit Conduct ranked at SL 5</p>
<p><b><a href="#">SB 5692</a> - Concerning programming at the department of corrections</b></p> <p>2/3/22 Public Hearing: S Ways &amp; Means @ 4p</p>	<p><b>New Section</b></p> <p>- directs WSIPP to evaluate top 5 evidence-based programs with the highest participation and submit its report to the Leg and Criminal Sentencing Task Force.</p> <p>- directs the <del>Criminal Sentencing Task Force</del> <b>Sentencing Guidelines Commission</b> to develop and recommend a formula for awarding earned early release time to individuals who complete programming at DOC. The <del>Task Force</del> <b>SGC</b> shall submit its report by 9/1/2024.</p>
<p><b><a href="#">SB 5592</a> - Eliminating the cost of supervision assessments charged to offenders</b></p> <p>2/3/22 Public Hearing: S Ways &amp; Means @ 4p</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.</p> <p><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.</p> <p><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.</p> <p><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.</p> <p><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><u>HB 1818</u> - Promoting successful reentry and rehabilitation of persons convicted of criminal offenses</b>  <b>1/21/22 Public Hearing: Housing, Human Services &amp; Veterans</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><u>SB 5348</u> - Concerning assisted reproduction</b>  <b>2/1/22 Public Hearing: Law &amp; Justice @ 10:30a</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>

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<p><b><u>HB 1848</u> - Concerning crimes concerning fraud in assisted reproduction</b> <b>1/25/22 Public Hearing: H Public Safety</b></p>	<p><b>New Section</b></p> <ul style="list-style-type: none"> <li>- creates a new class C felony for false representation in assisted reproduction when:             <ul style="list-style-type: none"> <li>&gt; a person knowingly provides false information to a patient;</li> <li>&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;</li> <li>&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.</li> </ul> </li> <li>- each incidence of false representation constitutes a separate offense.</li> </ul> <p><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.</p> <p><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.</p> <p><b>RCW 9.94A.515</b> - ranks false representation in assisted reproduction as a SL 1 offense</p>
<p><b><u>SB 5663</u> - Establishing streamlined procedures for compliance with the State v. Blake decision in order to improve criminal justice system coordination, create efficiencies, and reduce costs</b> <b>1/25/22 Public Hearing: S Law &amp; Justice</b></p>	<p><b>New Sections</b></p> <ul style="list-style-type: none"> <li>- Requires the Administrative Office of the Courts to prepare a report of all individuals convicted of simple drug possession since 1971.</li> <li>- Establishes rules for vacating convictions pursuant to State v. Blake, resentencing individuals if necessary, and refunding legal financial obligations.</li> <li>- Establishes a refund bureau under the Department of Revenue for processing refunded legal financial obligations</li> </ul>
<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</b></p>	<p><b>New Section</b> - creates a new class B felony for unlawful branding of another person</p> <p><b>RCW 9.94A.515</b> - ranks unlawful branding of another person as a SL 10 offense</p> <p><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>

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<p><b><a href="#">HB 2017</a> - Addressing housing concerns for individuals impacted by the criminal legal system 1/25/22 Public Hearing: S Human Services, Reentry &amp; Rehabilitation</b></p>	<p><b>New Section</b> - prohibits a landlord or any third-party entity from:</p> <ul style="list-style-type: none"> <li>&gt; excluding rental housing from individuals with an arrest record or conviction;</li> <li>&gt; require disclosure or take adverse action against a tenant or member of the tenant's household based on an arrest record or conviction (with certain exceptions);</li> <li>&gt; carry out adverse action based on registry information of tenant or member of tenant's household unless there is substantial, legitimate, nondiscriminatory reason.</li> </ul>
<p><b><a href="#">SB 5667</a> - Concerning the possession and use of forged and falsified COVID-19 vaccination documents 1/24/22 Public Hearing: S Law &amp; Justice</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 1/27/22 Public Hearing: S Human Services, Reentry &amp; Rehabilitation</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>

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<p><b><u>SB 5522</u> - 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.</p> <p><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><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.</p> <p><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.</p> <p><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>
<p><b><u>HB 2094</u> - Prohibiting persons convicted of violent offenses with firearm enhancements from receiving earned early release credits</b></p>	<p><b>RCW 9.94A.729</b> - adds language so that individuals serving a term of confinement for a violent offense that includes a firearm enhancement is not eligible for earned release credit.</p>

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<p><b><a href="#">SB 5927</a> - Concerning the safety and security of retail cannabis outlets</b></p>	<p><b>RCW 9.94A.832</b> - Adds committing a robbery of a cannabis retail outlet to the special to the special allegation that results in a 12-month enhancement added to the standard sentence range.</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.</p> <p><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.</p> <p><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.</p> <p><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.</p> <p><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>