

**Summary of Legislative Bill Proposals
As of 1/26/23**

Bills with hearings scheduled for next week

Bills with passed hearing but not yet reviewed by SGC

Bills that have a hearing but have not yet been reviewed by Legislative Committee

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
1432 HB 5474 SB	Concerning juvenile justice	<ul style="list-style-type: none"> > New section states that no fine, administrative fee, cost, surcharge, or restitution may be imposed or collected by the court against any juvenile, parent or guardian. > Requires AOC to ensure that any fine, fee, etc. previously imposed against juveniles and family members be considered null and void and uncollectable. AOC shall report the number of orders vacated and annually report the total amount assessed to and collected from individuals charged in superior court and other CLJ with specific data parameters. > Establishes the community compensation task force within LNI to address elimination of juvenile restitution and the compensation of parties harmed by juveniles. > Eliminates required imposition of penalty assessment to juveniles adjudicated of most serious offense or sex offense and required hours of community restitution for juveniles adjudicated of an offense which as a victim and is not a most serious offense or sex offense. > Adds that parties harmed by offenses committed by a juvenile are eligible to collect compensation through the new community compensation program. 	Farivar Goodman Simmons Frame	H Human Services, Youth & Early Learning 2/1/23 Public hearing @ 1:30p S Human Services 1/30/23 Public hearing @ 10:30a
1440 HB 5434 SB	Concerning the jurisdiction of juvenile court	<ul style="list-style-type: none"> > Establishes the raise the age juvenile justice task force to provide recommendations and an implementation plan to expand juvenile court jurisdiction to also include persons 18, 19, and 20 yrs by 7/1/27. > Increases the age at which youth are incapable of committing crime from 8 and younger to 13 and younger. Adds that children 8 - 13 who are charged with murder 1 or 2 are presumed to be incapable of committing crime but this presumption may be rebutted by clear and convincing evidence. > Increases target ages for youth court programs from 8-17 to 14-17. > Increases the ages over which youth courts have authority from 8-17 to 14-17 	Thai Simmons Trudeau Wilson, C	H Human Services S Human Services 1/31/23 Public hearing @ 10:30a

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5033 SB	Reclassifying the sentence for the crime of custodial sexual misconduct.	<ul style="list-style-type: none"> > Changes the offense of Custodial Sexual Misconduct 1 from class C to class B > Increases the offense of Custodial Sexual Misconduct 2 from a gross misdemeanor to a class C felony > Increases the seriousness level of Custodial Sexual Misconduct 1 from SL 5 to SL 7 > Ranks Custodial Sexual Misconduct 2 at SL 5 	Padden	S Law & Justice 1/30/23 Public hearing @ 10:30a
5032 SB	Extending the felony driving under the influence lookback to 15 years while providing additional treatment options through the creation of a drug offender sentencing alternative for driving under the influence.	<ul style="list-style-type: none"> >Creates prison and residential DOSA-DUI sentence alternatives <ul style="list-style-type: none"> - no prior conviction for Veh Hom, Veh Assault, felony DUI or felony DUI-PC - is convicted of a felony DUI or felony DUI-PC >Adds definition of drug offender sentencing alternative for driving under the influence. >Increases the time period to capture prior DUI offenses for felony DUI from 10 to 15 years > Effective date 7/1/2023 	Padden	S Transportation 1/30/23 Pub hearing @ 4p 1/19/23 Passed out of S L&J

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1024 HB	Concerning labor and income of incarcerated persons.	<ul style="list-style-type: none"> > Eliminates the authority of the court to require individuals to pay for the cost of incarceration. > Eliminates the incarceration costs for those convicted of gross misdemeanors and misdemeanors and adds language that "in no case may the court require a person to pay for the cost of incarceration." > Changes reference of federal minimum wage to state minimum wage as the lowest wage Correctional Industries shall pay individuals for class I, II, III and IV industries. > Eliminates required participation in the cost of incarceration by those who work in prison industries > Removes % contribution from incarcerated person's account for cost of incarceration, adds % contribution toward debts owed to DOC and changes remaining contribution %s. It eliminates deductions from any workers' compensation benefits. > Adds language that earned early release and other privileges may not be reduced based on a person's choice to not participate in work programs. > Makes participation in work programs voluntary unless ordered by the court > Repeals statutes related to work ethic camp program 	Simmons	<p>H Comm Safety, Justice and Reentry 1/30/23 Public hearing at 4p</p>
5046 SSB	Concerning postconviction access to counsel.	<ul style="list-style-type: none"> > Creates a program for postconviction indigent defense. > Requires counsel be provided at state expense when the individual: <ul style="list-style-type: none"> - requests counsel be appointed to petition the sentencing court if the legislature creates an ability to petition the sentencing court or - requests counsel be appointed to challenge a conviction or sentence if a final decision of an appellate court creates the ability to challenge a conviction or sentence. > Directs the office of public defense to examine and evaluate barriers to providing postconviction counsel at the request of indigent persons. > Restores existing statutes related to appt of counsel for indigent offenders under sentence of death. <li style="color: red;">> Requires appt of counsel for person not under death sentence who requests a motion for collateral attack other than person restraint petition. <li style="color: red;">> Allows appt of counsel for person not under sentence of death for a 2nd or subseq personal restraint petition or collateral attack other than a person restraint petition on the same J&S. 	Saldana	<p>S Ways & Means 1/31/23 Public hearing @ 4p 1/19/23 1st Sub passed S L&J</p>

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<p>5299 SB</p>	<p>Concerning law enforcement officer protection</p>	<ul style="list-style-type: none"> > Adds to the definition of Assault 3 law enforcement officer or other employee of a law enforcement agency who was off duty at the time of the assault, but assault was committed with intent to specifically target person due to their employment as LEO. > Creates a new gross misdemeanor offense for Doxing; > Increases penalty of Cyber Harassment to a class C felony when prior conviction of Doxing. > New section allows victims of Doxing to bring civil action against perpetrator. > Modifies statute for special allegation related to assault of LEO or other employee of LE agency to include assault with a deadly weapon, instead of firearm. > Requires LE agencies to report each incident where LEO was physically harmed by a citizen while performing duties. 	<p>Braun Wilson, C</p>	<p>S Law & Justice 1/31/23 Public hearing @ 10:30a</p>
<p>1394 HB 5543 SB</p>	<p>Creating a developmentally appropriate response to youth who commit sexual offenses</p>	<ul style="list-style-type: none"> > Creates state-funded grant program for defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. > Broadens the definition of 'certified sex offender treatment provider' and 'certified affiliate sex offender treatment provider'. > Defines adult as one who is 18 yrs or older on the offenses date or who is convicted of and sentenced for an offense in adult court pursuant to RCW 13.04.030(1)(e)(v) or 13.40.110. > Adds requirements for when a juvenile convicted of a sex offense needs to register with the sheriff: <ul style="list-style-type: none"> - Committed class A or B sex offense when the person was 16 or 17 and did not receive a SSODA. - Committed a sex offense and on the same date, had a prior conviction for a sex offense per RCW 9A.44.128 or had a deferred disposition for a sex offense. - Has a SSODA revoked for a class A or B sex offenses that was committed when the youth was 16 or 17. - Has an out of state, tribal, or federal conviction, or - Committed a kidnapping offense. > Modifies definition of class C felony FTR-SO to adults only and makes juvenile FTR-SO a gross misdemeanor. > Changes the time period a juvenile is required to register to end in 2 yrs after the last date of release from confinement (incl full-time residential treatment) or entry of disposition if the court does not extend the registration period up to an 	<p>Senn Goodman Simmons</p> <p>Frame Wilson, C</p>	<p>H Human Services, Youth, & Early Learning</p> <p>(SOPB Recommendations)</p>

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		<p>additional 2 yrs following a motion from the PAO. The court must find clear and convincing evidence that the registration period must be extended to ensure public safety.</p> <ul style="list-style-type: none">> Eliminates the language related to the presumption that person who completes a SSODA sentence is sufficiently rehabilitated to warrant removal from the central registry of sex offenders.> New section extinguishes any existing legal obligation for juveniles to register as a SO on the effective date of this section if person no longer has duty to register per new requirements. For those who do, the obligation shall extinguish 2 yrs after last date of release from confinement, incl FT res treatment or entry of disposition unless the court extends the registration period.> Requires each registering agency to conduct an individual review and remove all persons from the sex offender registry whose obligation is based on offense committed while under 18.> Effective date: November 1, 2023		
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<u>1268 HB</u>	Concerning sentencing enhancements	<ul style="list-style-type: none"> > Eliminates the special finding of involving a juvenile in a felony offense under RCW 9.94A.833 from the definition of Pattern of Criminal Street Gang Activity. > Eliminates provisions that all 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 FA/DW enhancements shall run consecutively; adds language allowing the court to order multiple FA/DW enhancements to run consecutively; eliminates language where a FA/DW or sex mot enhancement term may not be reduced if it increases the sentence beyond the stat max; eliminates the requirement that sex mot enh must be calculated before earned release time is credited. > Eliminates the requirement that the Mfg Meth - Presence of a Child enh run concurrently to all other sentencing provisions. > Eliminates the criminal street gang enhancement > Eliminates language restricting application of good time credits or earned release time on FA, DW, impaired driving and minor child enhancements. > Eliminates the requirement that individuals to be notified of changes regarding armed offenders on the subject of removal of good time for any and all DW enh. > Repeals RCW 9.94A.833 (Special allegation - Involving minor in felony offense) and RCW 69.50.435 (Protected Zone enhancement) 	Goodman Simmons	<p>H Comm Safety, Justice and Reentry</p> <p>2/2/23 Exec session @ 8a</p>
<u>1324 HB</u>	Concerning the scoring of prior juvenile offenses in sentencing range calculations.	<ul style="list-style-type: none"> > Adds language so that adjudications of guilt pursuant to Title 13 RCW may not be included in the offender score, RCW 9.94A.030 notwithstanding. > Eliminates references that scoring applies to both adult and juvenile prior convictions. > Adds language so that neither out of state or federal adjudications or convictions for juvenile offenses may be included in the offender score. > Eliminates all juvenile scoring point references. > Entitles a resentencing hearing to persons convicted prior to effective date of section and whose score includes juvenile offense. 	Hackney Simmons	<p>H Comm Safety, Justice and Reentry</p> <p>2/2/23 Exec session @ 8a</p>

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1396 HB	Concerning persons sentenced for aggravated first degree murder committed prior to reaching 21 years of age.	<ul style="list-style-type: none"> > A person convicted of aggravated murder prior to their 21st birthday, instead of 18th birthday, shall be sentenced to total confinement for not less than 25 yrs. > Gives the ISRB authority to sanction community violations under Section 6 of the bill. > Adds Section 6 to the list of sentences for which an individual may not receive earned early release during the minimum term of confinement. > Changes from prior to the 16th birthday to 18th birthday when a person convicted of aggr murder shall receive a max term of life and a min term of 25 yrs. > Persons convicted of aggr murder committed when person is 18 but less than 21 shall be sentenced to max term of life and min term of no less than 25 yrs if the court determines that mitigating factors that account for diminished culpability of youth justify a downward departure. If no downward departure is not justified, person shall be sentenced to LWOP. > Section 6 - a person sentenced to LWOP prior to 7/1/23 for offense committed when person was 18 but less than 21 shall be returned to the sentencing court. <ul style="list-style-type: none"> - Court's order setting min term is subject to review to the same extent as a min term decision by the parole board before 7/1/1986. > Applies to all sentencing hearings conducted on or after 7/1/23 regardless of the date of a person's underlying offense. > Effective date: 7/1/23 	Goodman	<p>H Community Safety, Justice & Reentry</p> <p>2/2/23 Exec session @ 8a</p>
5160 SB	Concerning organized retail theft.	<ul style="list-style-type: none"> > Modifies the definition of Organized Retail Theft 2 to include when a person commits theft of property with a cumulative value of at least \$750 from a mercantile establishment with no less than 2 accomplices and each accomplice enters the mercantile establishment within 5 min of each other seeking participation in the theft. 	Torres	<p>S Law & Justice</p> <p>1/26/23 Exec session @ 8a</p>
1002 HB	Increasing the penalty for hazing.	<ul style="list-style-type: none"> > Increases hazing to a gross misdemeanor > Adds new level of hazing that causes substantial bodily harm as a class C felony. > Adds felony hazing to the list of Crimes Against Persons > Ranks felony hazing at a seriousness level 3 > Adds felony hazing to the list of offenses considered as harassment > New section titles the act as the Sam Martinez Stop Hazing law 	Leavitt	<p>H Comm Safety, Justice and Reentry</p> <p>1/26/23 Exec Session @ 8a</p>

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1150 HB	Creating the offense of unlawful branding of another person.	<p>> Creates the offense of Unlawful Branding when: - marks another's boy with subdermal implant, tattoo or body art that is intended to be used to track or mark the person for ownership to engage in trafficking of the person or promoting prostitution. - uses force, fraud or coercion to cause a person to have their body marked for the purposes of tracking or ownership to engage in trafficking of the person or promoting prostitution</p> <p>> Offense is a class B felony and ranked at SL 5</p> <p>> Adds Unlawful Branding to list of offenses that may be prosecuted up to 10 years after its commission or, if committed against a victim under 18, up to the victim's 30th birthday, whichever is later.</p>	Mosbrucker	<p>H Comm Safety, Justice and Reentry</p> <p>1/26/23 Exec Session @ 8a</p>
1160 HB	Concerning an aggravating circumstance for the mutilation or dismemberment of a human body.	<p>> Adds "during commission of current offenses, defendant mutilated or dismembered a human body" as an aggravating factor to be considered by a jury</p>	Graham	<p>H Comm Safety, Justice and Reentry</p> <p>1/26/23 Exec Session @ 8a</p>