

SGC Legislative Bill Proposals  
As of 1/25/24

**Previous Bill**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">5056</a> SSB	Establishing a special allegation for habitual property offenders.	<p>&gt; Creates a special allegation for habitual property offenders requiring a finding of fact.</p> <ul style="list-style-type: none"> <li>- Current offense is res burg, burg 2, theft 1 or 2, theft of a FA, unlawful issuance of checks, org retail theft, theft w/special circumstances, mail theft;</li> <li>- CHS is 9 or higher;</li> <li>- At least 5 CHS points are from any combination of above mentioned offenses; <del>or</del> and</li> <li>- Person committed 3 or more property crimes within 180 days</li> </ul> <p>&gt; Sentence enhancements:</p> <ul style="list-style-type: none"> <li>- Class B felony = 24 mos</li> <li>- Class C felony = 12 mos</li> <li>- are at the discretion of the court <del>mandatory and shall be served in total confinement.</del></li> </ul>	Padden	<p>1/22/24 Ref'd to H CSJR</p> <p>1/17/24 Passed Senate (38-10-0-1)</p> <p>2/10/23 SGC voted CON [The SGC opposes SSB 5056 until the Legislature resolved HB 1268 which addresses enhancements.]</p>

**New Crimes**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">2002</a> HB	Establishing criminal penalties for the public use of fentanyl or methamphetamine	<p>&gt; Creates new offense when knowingly or intentionally combust or exhale fentanyl or meth smoke while in a public space and within 10 ft of another person or while inside an enclosed public space with another person.</p> <ul style="list-style-type: none"> <li>- Offense is gross misd unless other person is under age 13, then offenses is class C felony, ranked at SL 2 on drug grid.</li> </ul>	Low	H CSJR

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<a href="#">2078</a> HB	Improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and school-related athletic activities.	<ul style="list-style-type: none"> <li>&gt; RCW 28B.10.570 - Increases the offense for Interfering by Force or Violent with Any Administrator, Faculty Member or Student from a gross misd to a class C felony (unr).</li> <li>&gt; RCW 28B.10.571 - Increases the offense for Intimidating Any Administrator, Faculty Member or Student by Threat of Force or Violence from a gross misd to a class C felony (unr).</li> </ul>	Schmidt	H CSJR
<a href="#">2079</a> HB	Improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities.	<ul style="list-style-type: none"> <li>&gt; RCW 28A.635.090 - Increases the offense for Interference by Force or Violence an employee or contractor of public/private elementary or secondary school, student or official from a gross misd to a class C felony (unr).</li> <li>&gt; RCW 28A.635.100 - Increases the offense for Intimidating Any Administrator, Teacher, Classified Employee or Student by Threat of Force or Violent from a gross misd to a class C felony (unr).</li> </ul>	Schmidt	1/25/24 Hearing @ 8a H CSJR
<a href="#">2153</a> HB	Deterring the theft of catalytic converters.	<ul style="list-style-type: none"> <li>&gt; Eliminates all private metal property, now requiring all processors to be licensed.</li> <li>&gt; Creates a new gross misd for any person not a licensed scrap processor or licensed vehicle wrecker to Knowingly Possess, Sell, or Offer for Sale &lt;5 Detached Catalytic Converters that do not comply with the marking requirements under subsection 1.</li> <li>&gt; Creates a new class C felony for any person not a licensed scrap processor or licensed vehicle wrecker to Possession, Sale, or Offering for Sale 5+ Detached Catalytic Converters that do not comply with the marking requirements under subsection 1. Ranks at SL 2.</li> <li>&gt; Creates a new class B felony for Trafficking in Catalytic Converters 1 when 5+ converters have been removed without fulfilling requirements for lawful</li> </ul>	Ryu	1/30 /24 Exec session H Consumer Prot & Business

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		<p>transfer or without possessing a valid scrap processor license. Ranks at SL 4.</p> <p>&gt; Creates a new class C felony for Trafficking in Catalytic Converters 2 when &gt;5 converters have been removed without fulfilling requirements for lawful transfer. Ranks at SL 3.</p> <p>&gt; RCW 9A.82.010 - adds Trafficking in Catalytic Converts 1/2 to the definition of "Criminal Profiteering"</p>		
<a href="#">2358</a> HB	Making obstructing highways a crime.	<p>&gt; NEW SECTION - creates a new gross misd for intentionally Obstructing Highways by walking, standing, etc. in a manner that blocks the ability of a vehicle to drive on a state highway.</p> <p>- If indiv is a leader or organizer of the people obstructing, it is a class C felony with a monetary penalty of at least \$5,000 which may not be reduced to less than \$1,000.</p> <p>&gt; Creates a new class C felony for Obstructing Highways in Disregard for Public Safety with a minimum terms of 30 days and monetary penalty of at least \$5,000 which may not be reduced to less than \$1,000.</p> <p>- if prior violation of obedience to police officers, flaggers or firefighters (RCW 46.61.015 - misd), disorderly conduct (RCW 9A.84.030(1)(c) - misd), failure to disperse (9A.84.020 - misd), obstructing highways, obstructing highways in disregard for public safety, organizer or leader of obstructing highways in disregard for public safety or similar criminal behavior from other jurisdictions, a court finding violation under this section shall impose a minimum of 60 days and a monetary penalty of at least \$6,125 which may not be reduced to less than \$1,000.</p>	Barkis Mosbrucker	H CSJR
<a href="#">6160</a> SB	Concerning penalties for unlawfully obstructing traffic.	<p>&gt; RCW 9A.84.020 - increases Failure to Disperse from a gross misd to a class C felony in instances when a person refuses to disperse from a public roadway and their refusal obstructs traffic.</p> <p>&gt; RCW 9A.84.030 - increases Disorderly Conduct from a misd to a gross misd when a person violations subsection (1)(c) of this section.</p>	MacEwen	S L&J

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**Change in Crime Definitions**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">1967</a> HB	Excluding any person who is convicted of a hit and run resulting in death from being eligible for a first-time offender waiver	Adds Hit and Run - Death offense to list of offenses excluded from FTOW	Jacobsen	1/29/24 Exec session H CSJR
<a href="#">2220</a> HB	Concerning violent offenses.	> RCW 9.94A.030 - adds to the definition of Violent Offense Unlawful M/D/P w/Intent to mfg or del opiates or similar drugs or substances classified in Sch II, heroin, a controlled subst classified in Sch I, a counterfeit subst classified in Sch II or a counterfeit subst which is heroin. > RCW 10.19.055 - adds violent offenses to the definition to offenses on which bail must be determined on an individualized basis by a judicial officer.	Rule	H CSJR
<a href="#">2477</a> HB	Expanding the circumstances that may constitute a major violation of the uniform controlled substances act.	RCW 9.94A.535 - Adds to the Aggravating Circumstances considered by a jury by expanding the definition of a major VUCSA to include the current offense involved the knowing delivery or distribution of fentanyl, precursor chemicals used in mfg of fentanyl or a counterfeit subst containing fentanyl and resulted in bodily harm, permanent impairment to cognitive functions or death.	Walsh	H CSJR
<a href="#">6051</a> SB	Concerning manslaughter when certain controlled substances are sold that result in death of the user.	RCW 9A.32.060 - adds to the definition of Manslaughter 1 when an indiv intentionally and unlawfully delivers a contr subst that is Sch I or II in viol of RCW 69.50.401(2)(a,b,c) and the contr subst is used by the person to whom it was delivered resulting in the death of the user.	Braun	S L&J

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Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">6070</a> SB	Concerning the most serious offenses.	RCW 9.94A.030 - adds to the list of offenses considered Most Serious: - Assault 3 - Burglary 2 - Residential Burglary - Robbery 2	Short	S L&J
<a href="#">6133</a> SB	Deterring robberies from cannabis retail establishments.	RCW 9.94A.832 - adds "cannabis retail outlet and the defendant committed the robbery by using a vehicle to damage or gain access to the retail outlet" and "cannabis retail outlet and the defendant committed the robbery in concert with another individual or individuals" to the Robbery 1/2 special allegation.	McCune	1/29/24 Hearing @ 10:30a S L&J
<a href="#">6217</a> SB	Deterring robberies from retail establishments.	> RCW 9.94A.832 - Under robbery of a pharmacy special allegation, robbery of a retail outlet and defendant committed robbery by using a vehicle to damage or gain access, and robbery of a retail outlet committed in concert with another indiv or individuals are added to the eligible list of offenses.	McCune	S L&J
<a href="#">6261</a> SB	Concerning penalties for the theft and possession of stolen property, including theft from first responders.	> Adds another prong to Theft of Stolen Property 1 and Theft 1 to include property or equipment used by firefighters or emergency medical service providers in the course of duties. > Increases the seriousness levels for Theft of Stolen Property 1 and Theft 1 to SL 3 from SL 2. > RCW 9.94A.540 - adds mandatory minimums of 6 months to Stolen Property 1 and Theft 1 when convicted of possessing property or equipment used by firefighters or emergency medical service providers.	Warnick	1/29/24 Hearing @ 10:30a S L&J

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**Reentry – voting**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">2030</a> HB	Revoking a person's voting rights only when convicted of a state crime punishable by death	<ul style="list-style-type: none"> <li>&gt; Known as the Free Vote Act.</li> <li>&gt; Modifies definition of 'infamous crime' to not include felonies not punishable by death.</li> <li>&gt; NEW SECTION - adds that a person's right to vote is revoked by reason of a criminal conviction only if that person is convicted of an infamous crime.</li> <li>&gt; RCW 29A.08.520 - modifies language so that persons convicted of infamous crime will have their right to vote automatically restored when person is no longer serving total confinement under DOC.</li> </ul>	Simmons	1/16/24 Hearing @ 1:30p H St Govt & Tribal Relations

**Reentry - pilot**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">2057</a> HB	Creating a pilot project to assist incarcerated veterans' transition to civilian life.	<p>Directs the Dept of Veterans Affairs to initiate the Reintegration Support for Incarcerated Veterans pilot project. Purpose is to assist with reintegration into civilian life through education, employment and decreasing homelessness following release.</p> <ul style="list-style-type: none"> <li>- Edmonds Community College must be the first site of the pilot project with a second location east of the Cascades, subject to appropriations.</li> <li>- Support will be provided through the use of reentry navigators.</li> </ul>	Ryu	H Innovation, Community & Econ Development, and Veterans
<a href="#">2203</a> HB	Creating a pilot project to assist incarcerated veterans.	<p>Directs the Dept of Veterans Affairs to initiate the Reintegration Support for Incarcerated Veterans pilot project. Purpose is to assist with reintegration into civilian life through education, employment and decreasing homelessness following release.</p> <ul style="list-style-type: none"> <li>- SBCTC will select pilot project site located west of Cascades, with consideration given to Edmonds Community College. If a second project site is selected, it must be located east of the Cascades.</li> <li>- Support will be provided through the use of reentry navigators.</li> <li>- DVA shall coordinate with DOC at least annually to identify all veterans incarcerated within past 12 months.</li> </ul>	Ryu	1/23/24 Passed out of H Innovation, Community & Econ Development, & Veterans

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Department of Corrections

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">5938</a> SB	Modifying the community parenting alternative for eligible participants in the residential parenting program at the department of corrections.	RCW 9.94A.6551 - adds that an incarcerated indiv not sentenced under 9.94A.655 (PSA) but otherwise eligible who is participating in the residential parenting program at DOC, no more than the final 18 mos of confinement may be served in partial confinement as home detention as part of the parenting program developed by DOC. - Adds definition of Residential parenting program.	Wilson, C	1/25/24 Exec session S HS
<a href="#">2303</a> HB	Modifying conditions of community custody.	> RCW 9.94A.704 - directs DOC to also include indiv's crime of conviction and risk of reoffense when establishing or modifying additional conditions of supervision. - adds that regardless of the indiv's date of sentencing, the add'l conditions need not be crime-related if the conditions relate to either the risk of reoffense or risk to community safety. - adds that, on motion of defendant, the court may amend substantive supervision conditions set by DOC if court determines there is no substantial risk to community safety. The time limit for collateral attacks est under RCW 10.73.090 does not apply to any motion filed pursuant to this section. > RCW 9.94A.709 - eliminates the specification of persons convicted of sex offenses and makes the statute applicable to all persons on community custody. - adds that, on motion of defendant, the court may amend substantive supervision conditions set by DOC if court determines there is no substantial risk to community safety. The time limit for collateral attacks est under RCW 10.73.090 does not apply to any motion filed pursuant to this section. > RCW 9.94A.730 (JUVBOARD) - adds that any person released by the ISRB pursuant to this section shall comply with conditions imposed or	Goodman Simmons	1/29/24 Exec session H CSJR

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Bill No.	Bill Title	Bill Summary	Sponsor	Committee
		<p>modified pursuant to RCW 9.94A.704(1), in addition to court-imposed conditions.</p> <p>&gt; RCW 9.95.420 - allows the ESRB to add supervision conditions based on crime of conviction, risk of reoffense, or risk to community safety. The add'l conditions need not be crime-related if they are related to either risk of reoffense or risk to community safety.</p> <p>&gt; RCW 10.95.030 - adds that any person convicted of Agg Murder 1 for an offense committed prior to age 18 shall comply with conditions imposed or modified pursuant to RCW 9.94a.704(10) in addition to court-imposed conditions.</p> <p>&gt; NEW SECTION - applies to all sentenced to comm custody before, on or after the effective date of this section.</p>		

**Vacating Offense**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">2227</a> HB	Vacating a conviction for driving under the influence, actual physical control of a motor vehicle while under the influence, or an offense considered a prior offense to such convictions.	<p>&gt; RCW 9.96.060 - eliminates from the list of offenses where an indiv may not have the misd or gross mis record of conviction vacated when any of these are present: DUI, PC-DUI, or is considered a prior offense under RCW 46.61.5055 and the indiv has had subseq alcohol or drug violation within 10 yrs.</p> <p>- Adds language that every person convicted of DUI, PC-DUI or an offense considered a prior offense under RCW 46.61.5055 may apply to the sentencing court for a vacation of the conviction if the indiv has not had a subseq alcohol or drug-related traffic conviction in WA, another state or tribal court within 10 yrs of date of conviction. Court may vacate conviction if indiv qualifies.</p> <p>- Adds language establishing that a conviction vacated under this subsection qualifies as a prior conviction in determining a sentence for a conviction under RCW 46.61.520 if the Veh Hom occurred while driver was under the influence.</p>	Ortiz-Self	H CSJR



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**Restitution**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">5841</a> SB	Requiring individuals convicted of offenses related to driving under the influence to pay financial support to minor children and dependents when the offense results in the death or disability of a parent	Allows the sentencing court to order restitution in the form of financial support for each child or dependent for the crimes of DUI, Veh Hom - DUI or Veh Assault - DUI resulting in death or permanent disability of a parent or guardian.	Lovick	1/19/24 Passed to Rules for 2 <sup>nd</sup> reading - S L&J

**Pretrial Release**

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">6297</a> SB	Recognizing a court's authority to authorize a defendant's direct transfer from jail to inpatient or residential substance use disorder treatment.	NEW SECTION: allows a judge who establishes conditions of release under RCW 10.21.020/030 which includes payment of bail to change the release condition to a personal recognizance release with nonmonetary conditions if: <ul style="list-style-type: none"> <li>- the defendant has an offer of admission to an inpatient or residential SUD treatment facility, and</li> <li>- a trusted individual is available to escort defendant from jail to treatment facility,</li> </ul> > Defendant under subsec (1) may bring the court a motion for pretrial release at any time they are able to satisfy the conditions specified.	Gildon	S L&J

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Reentry – Employment

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">2225</a> HB	Giving people with criminal records who are rehabilitated a fresh start in occupational licensing in Washington.	<p>&gt; RCW 18.400.020 - requires the licensing authority to allow the indiv to have an informal meeting to address factors in subsec 2 (nature of offense).</p> <p>&gt; RCW 18.400.030 - adds to the list on which the licensing authority may not disqualify an indiv based on vacated or overturned conviction, deferred adjudication, participation in a diversion program, nonviolent misd, conviction older than 3 yrs for which indiv was not incarcerated, or a conviction where the incarceration ended more than 3 yrs before the date of the authority's consideration, except for convictions related to criminal sexual act, aggr assault, aggr robbery, aggr abuse, neglect or endangerment of a child, arson, carjacking, kidnapping, manslaughter, homicide, and murder.</p> <p>&gt; RCW 9.96A.020 - adds language that persons are not disqualified from employment by the state or local govts or from practicing, pursuing any occupation, trade, vocation for which a license or permit is required to be issued by the state or local govts because of a prior misd (already includes felony).</p> <p>- Restricts prior convictions from being considered if they have been sealed, dismissed, expunged, vacated, overturned, or pardoned; are a juv adjudication; a deferred adjudication or participation in a diversion program; a nonviolent misd; or a conviction older than 3 yrs for which indiv was not incarcerated or a conviction where the incarceration ended more than 3 yrs before the date of the authority's consideration.</p>	Thai	H Consumer Prot & Business

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Second Look

Bill No.	Bill Title	Bill Summary	Sponsor	Committee
<a href="#">2478</a> HB	Postconviction review, clemency, and pardons.	<ul style="list-style-type: none"> <li>&gt; RCW 9.94A.501 - adds that DOC shall supervise any indiv granted conditional commutation.</li> <li>&gt; RCW 9.94A.565 - modifies eligibility for those sentenced to LWOP to be considered for release by removing the age (60) criterion, and adding to no longer being a threat to society, having served 20 yrs in total confinement or 25 yrs if the indiv was sentenced to Aggr Murder, and commutation that includes a period of law-abiding behavior in the community.</li> <li>&gt; RCW 9.94A.633 - Adds a community custody violation sanction for those granted conditional commutation where the indiv may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in the community or in detention awaiting disposition of alleged violation.</li> <li>&gt; RCW 9.94A.880 - increases the Clemency and Pardons Board by adding 5 more members, making designations for 6 of those positions.               <ul style="list-style-type: none"> <li>- allows members to receive compensation.</li> <li>- requires each petition for commutation shall be reviewed by 5 board members selected randomly.</li> </ul> </li> <li>&gt; RCW 9.94A.885 - further defines commutation of sentences "of incarcerated individuals when the sentence no longer serves the interest of justice".               <ul style="list-style-type: none"> <li>- requires the board to consider statements by victims and survivors of victims, and law enforcement agencies that conducted investigation.</li> <li>- increases notification to PAO from 30 to 90 days</li> <li>- directs PAO on obtaining victim impact statements</li> <li>- directs the board on providing notification to victims, etc.</li> <li>- allows the board to recommend conditions of commutation including term of comm cust up to length of court-imposed term of incarceration, partial confinement up to 6 mos, restriction on travel, NCOs, employment restrictions, etc.</li> </ul> </li> <li>&gt; NEW SECTION - outlines actions board may take in response to petitions and the factors and information the board shall consider when making its</li> </ul>	Hackney Goodman	H CSJR

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		<p>decision.</p> <ul style="list-style-type: none"><li>- directs the board to consider a release plan for indiv.</li><li>- lists the conditions for commutation the board may include.</li><li>- allows petitioners who have been denied to file a new petition 3 yrs from date of denial.</li><li>- allows information contained in petition or submitted to the board to be subject to public disclosure.</li></ul> <p>&gt; NEW SECTION - requires the board to provide the gov and legislature an annual report of its work, including names of persons granted clemency or pardons, crimes convicted by them and any known acts of recidivism.</p>		
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