

2020 LEGISLATIVE WRAP-UP

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ANIMAL WELFARE

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
158 ESSB 6300	Jun. 11, 2020	Animal Welfare	<p>Amends RCW 16.52.095 to make it a misdemeanor for anyone other than a licensed veterinarian performing a procedure upon an anesthetized animal, to devocalize a dog, crop or cut off part of a dog's ear, or crop or cut off a dog's tail once the dog is 7-days old or has opened his/her eyes.</p> <p>Clarifies that a sentence for violating a provision of chapter 16.52 RCW prohibits the person from owning, caring for, possessing, or residing with any animals for a period of time. § 5 (amending RCW 16.52.200).</p> <p>First degree animal cruelty is expanded to include exposing an animal to excessive heat or cold. Definitions of "sexual conduct" and "sexual contact" are also amended with the elimination of "for the purpose of sexual gratification or arousal of the person" requirement. § 6 (amending RCW 16.52.205).</p> <p>The abandon alternative means of committing second degree animal cruelty no longer requires proof that the animal suffered bodily harm or was at risk of bodily harm due to the abandonment. The affirmative defense of "economic distress" is also eliminated. § 7 (amending RCW 16.52.207).</p> <p>When an abandoned animal comes into the hands of the county sheriff, the sheriff is to deliver them to an animal care and control agency or to an animal rescue group. If such a group cannot be found, then the sheriff is to sell the animal at public auction. §§ 8 and 9 (amending RCW 16.54.020 and .030).</p>

BAIL JUMPING

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
<p>19 ESHB 2231</p>	<p>Jun. 11, 2020</p>	<p>Bail Jumping</p>	<p>Amends RCW 9A.76.170. The knowledge element of bail jump is removed.</p> <p>A charge of bail jumping will now require</p> <ul style="list-style-type: none"> (1) written notice of the requirement of a subsequent personal appearance for trial and a failure to appear for trial as required; or (2) failure to appear for any hearing or to surrender for service of sentence if held for, charged with, or convicted of a violent offense or sex offense and the defendant received written notice of the requirement of a subsequent personal appearance and (a) does not surrender or appear within 30 days of the issuance of a warrant or (b) has a prior warrant issued based on a prior incident of failure to appear in the same cause. <p>The availability of the affirmative defense to bail jumping is reduced from “reckless disregard” to “negligent disregard” of the requirement to appear.</p> <p>Adds a new crime to chapter 9A.76 RCW. The new crime is “failure to appear or surrender.” Crime occurs when a person is released by court order or admitted to bail and has received written notice of the requirement of the requirement to report to a correction facility for service of sentence or for a court hearing and fails to appear or surrender and (a) did not appear with 30 days of the issuance of the warrant or (b) has a prior incident of failure to appear or surrender in the same cause. An affirmative defense of uncontrollable circumstances where the defendant did not contribute to creation of such circumstance by negligently disregarding the requirement to appear or surrender.</p> <p>Failure to appear or surrender is a gross misdemeanor if the person was held for, charged with, or convicted of a felony, and a misdemeanor</p>

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			<p>if the person was held for, charged with, or convicted of a gross misdemeanor or misdemeanor.</p> <p><i>Editor's note: This statute only applies to crimes committed on or after June 11, 2020. Crimes committed prior to that day for conduct covered by the prior version of the bail jump laws are still felonies, etc. See generally RCW 10.01.040 . Cf. State v. Molia, No. 78981-3-1 (Wash. App. Apr. 6, 2020) (removal of robbery 2 as a strike only applicable to crimes committed on or after the effective date of the law).</i></p>

CHILD ABUSE AND NEGLECT (See also [Sex Offenses](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
71 SB 6423	Jun. 11, 2020	Reports Alleging Child Abuse and Neglect	Expands the immunity from civil and criminal liability for any person participating in good faith in the making of a report under chapter 26.44 RCW, and testifying as to alleged child abuse or neglect in a judicial proceeding, to also encompassing “otherwise providing information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or legal intervention.”
270 SSHB 1645	Jan. 1, 2021	Certificate of Parental Improvement	Requires the Department of Children, Youth and Families to develop and implement a process by which an individual who is the subject of a founded finding of negligent treatment or maltreatment or physical abuse or whose child was found to be dependent as a result of a finding that the individual abused or neglected their child, to request a

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			<p>certificate of parental improvement. An individual who has a pending criminal investigation or conviction for a number of crimes is ineligible.</p> <p>An individual who obtains a certificate of parental improvement may obtain employment in a number of settings, such as assisted living facilities, that were previously off limits to him or her.</p>

CHILD SUPPORT

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
227 SHB 2302	Jun. 11, 2020, except §§ 3-13 which become effective Feb. 1, 2021	Child Support, but Only with Respect to Standards for Determination of Income, Abatement of Child Support for Incarcerated Obligor, Modification of Administrative Orders, and Notices of Support Owed	<p>Requires a court to consider the parent’s criminal record and other employment barriers when imputing income to a parent. Sets presumptive imputed income amounts for a parent who is on or recently coming off aid, has recently been released from incarceration, is a recent high school graduate, or is currently enrolled full time in high school. § 2 (amending RCW 26.19.071).</p> <p>Creates a new administrative procedure to abate child support obligations for a parent who is “justice-involved” and incarcerated for at least six months to \$10 per month. The abatement can be reversed or terminated upon a showing that the incarcerated person has possession of, or access to, income or assets available to provide support while incarcerated.</p> <p>Amends statutes regarding notice of support owed for child support, health care coverage, uninsured medical expenses and the procedures for collecting any arrears.</p>

CIVIL COMMITMENTS AND FORENSIC MENTAL HEALTH SERVICES

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
5 HB 2099	Jun.11, 2020, except §§ 3 & 5 which become effective Jul. 1, 2026	Use of Video Technology under the Involuntary Treatment Act	Allows for the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. A licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information must be present with the person at the time of the interview.
81 HB 2416	Jun. 11, 2020	Disclosures of Information and Records Related to Forensic Mental Health Services	Amends RCW 10.77.210(1) to limit disclosures of health care as authorized in chapter 70.02 RCW. Extends RCW 70.02.205(3) limitation upon the use or disclosure of health care information to the minimum necessary to accomplish the purpose of the use or disclosure to “information and records related to mental health services.”
256 SSB 6259	Jun. 11, 2020 —Except for sections that become effective at later dates once sections that become effective on Jun. 11, 2020 expire.	Improving the Indian Behavioral Health System in this State	Makes changes to a number of involuntary commitment statutes, including the addition of these subsections to RCW 71.05.150: <ul style="list-style-type: none"> (5) An Indian tribe shall have jurisdiction exclusive to the state as to any involuntary commitment of an American Indian or Alaska Native to an evaluation and treatment facility located within the boundaries of that tribe, unless the tribe has consented to the state's concurrent jurisdiction, or the tribe has expressly declined to exercise its exclusive jurisdiction. 6) Tribal court orders for involuntary commitment shall be recognized and enforced in accordance with superior court civil rule 82.5. (7) In any investigation and evaluation of an individual under 7 RCW 71.05.150 or 71.05.153 in which the designated crisis responder knows, or has reason to know,

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			<p>that the individual is an American Indian or Alaska Native who receives medical or behavioral health services from a tribe within this state, the designated crisis responder shall notify the tribe or Indian health care provider regarding whether or not a petition for initial detention or involuntary outpatient treatment will be filed. Notification shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan as soon as possible but no later than three hours subject to the requirements in RCW 70.02.230 (2)(dd) and (3). A designated crisis responder may restrict the release of information as necessary to comply with 42 C.F.R. Part 2.</p>
<p>278 SHB 2448</p>	<p>Jun. 11, 2020</p>	<p>Enhanced Services Facilities</p>	<p>Amends numerous sections in chapter 70.97 RCW that modify the eligibility standards for admission to an enhanced services facility. A new eligibility requirement is established to require that the person be assessed by the Department of Social and Health Services as needing the services of an enhanced services facility. Some of the factors for admission are modified and two new factors are added that relate to (1) the person residing at a state mental hospital or psychiatric unit of a hospital and being found ready to discharge; and (2) the person having a history of an inability to remain medically or psychiatrically stable for more than six months.</p> <p>The provision of treatment is removed from the scope of care provided by enhanced services facilities and is replaced with the provision of support or services to residents</p>
<p>302 SESSSB 5720</p>	<p>Jun. 11, 2020 —Except for §§ 4, 28, 64, and 81,</p>	<p>Involuntary Treatment Act</p>	<p>Replaces the phrase “mental disorders and substance use” in numerous statutes with the phrase “behavior health.” Similarly replaces the phrase “mentally disordered persons and persons with substance use disorders” with the phrase “persons living with</p>

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	<p>which are contingent; §§ 13, 16, 19 through 23, 26, 32, 34, 36, 39, 55, 59, 76, 83, 86, 89, and 92, which become effective Jan. 1, 2021; and §§ 14, 17, 27, 40, 46, 56, 79, 84, 87, 93, 95, and 98, which become effective Jul. 1, 2026.</p>		<p>behavioral health disorders.”</p> <p>Adds new definitions to RCW 71.05.020 for the terms “behavioral health disorder,” “written order of apprehension,” and “video.” §§ 3 and 4. Significantly amends the definition of “hearing” to now allow for hearings to occur by video. “At any hearing conducted by video, the technology used must permit the judicial officer, counsel, all parties, and the witnesses to be able to see, hear, and speak, when authorized, during the hearing; to allow attorneys to use exhibits or other materials during the hearing; and to allow the respondent’s counsel to be in the same location as the respondent unless otherwise requested by the respondent or the respondent’s counsel.” § 101. Witnesses may appear telephonically pursuant to superior court civil rule 43. <i>Id.</i></p> <p>Provides that the interview performed by the designated crisis responder pursuant to RCW 71.05.150 “may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is present with the person at the time of the interview.” §§ 12,13, 14. Same for an interview conducted pursuant to RCW 71.05.153. §§ 15, 16, 17.</p> <p>Adds provisions for dealing with a person who is involuntarily detained at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the person was initially detained. <i>See</i> §§ 18 (amending RCW 71.05.160);</p> <p>Extends the initial detention period from not more than 72 hours to not more than 120 hours.</p> <p>Requires the designated crisis responder to notify the sheriff of the county or the chief of police of the municipality in which the person is domiciled of the six month suspension of his or her firearm rights. <i>See</i> § 21 (amending RCW 71.05.182). Requires the</p>

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			<p>law enforcement entity to verify with the prosecuting attorney’s office or designated crisis responders that the person has not been previously or subsequently committed for involuntary treatment under RCW 71.05.240 before returning any weapons to such person.</p> <p>Adds new statutory rights to involuntarily detained individuals—right to individualized care and adequate treatment, to discuss treatment plans and decisions with professional persons, and to not be denied access to treatment by spiritual means. §§ 31 and 32. (amending RCW 71.05.217). Adds specific advisements that must be provided to any person detained under chapter 71.05 RCW. <i>Id.</i></p> <p>Adds a new section to chapter 71.05 that allows a court to continue or postpone a proceeding for a reasonable time on motion of the respondent for good cause or on motion of the prosecuting attorney of attorney general if the respondent expressly consents to the continuance and there is a showing of good cause or if the continuance is required in the proper administration of justice and the respondent will not be substantially prejudiced in the presentation of the respondent's case. § 37.</p> <p>Amends RCW 71.05.240 to allow the prosecutor in addition to the court to advise the person both orally and in writing that the failure to make a good faith effort to seek involuntary treatment will result in the loss of his or her firearm rights if subsequently detained. The petitioner bears the burden of demonstrating by a preponderance of the evidence that the person has not in good faith volunteered for appropriate treatment. “In order to qualify as a good faith volunteer, the person must abide by procedures and a treatment plan as prescribed by a treatment facility and professional staff.” §§ 38 and 39.</p> <p>Amends RCW 71.05.585 to allow an LRA to administer involuntary antipsychotic medication to a person who was provided with involuntary medication under RCW 71.05.215 or pursuant to a</p>

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			<p>judicial order during the involuntary commitment period. § 53.</p> <p>Clarifies the period of detention upon the revocation of an LRA or conditional release order. §§ 54, 55, 56 (amending RCW 71.05.590).</p> <p>Amends RCW 9.41.047 and .049 to specify the information the court must forward to DOL and state patrol when a copy of the person’s driver’s license or identocard is not available. §§ 60 and 61.</p> <p>Expands the intent statement for chapter 71.34 RCW to include enhanced continuity of care for minors with serious behavioral health disorders. § 62 (amending RCW 71.34.010). Pursuant to the new intent statement great weight is to be given to a prior history or pattern of decompensation and discontinuation of treatment when deciding whether an inpatient or less restrictive alternative commitment is appropriate for a minor. §§ 94 and 95 (amending RCW 71.34.750).</p> <p>The definition of “likelihood of serious harm” for purposes of chapter 71.34 RCW is satisfied when a “minor has threatened the physical safety of another and has a history of one or more violent acts.” §§ 63 and 64 (amending RCW 71.34.020). A “violent act” is “behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.” Adds numerous new definitions to RCW 71.34.020. <i>Id.</i></p> <p>A new section specifies an officer’s authority with respect to a minor suffering from a behavioral health disorder:</p> <p style="padding-left: 40px;">A peace officer may take or authorize a minor to be taken into custody and immediately delivered to an appropriate triage facility, crisis stabilization unit, evaluation and treatment facility, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or the emergency</p>

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			<p>department of a local hospital when he or she has reasonable cause to believe that such minor is suffering from a behavioral health disorder and presents an imminent likelihood of serious harm or is gravely disabled. Until July 1, 2026, a peace officer's delivery of a minor to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program is subject to the availability of a secure withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the minor.</p> <p>§ 67.</p> <p>If the minor was arrested and is not accepted for admission or is released by an inpatient facility, may detain the minor for not more than 8 hours at the request of the peace officer. The program or facility must make reasonable attempts to contact the requesting peace officer during this time to inform the peace officer that the minor is not approved for admission or is being released in order to enable a peace officer to return to the facility and take the minor back into custody. § 70 (amending RCW 71.34.365).</p> <p>Expands the rights granted to minors under chapter 71.34 RCW and the advise that must be given to them and to his her parent. <i>See</i> § 68 (amending RCW 71.34.355). Requires a minor's property to be safeguarded. <i>See</i> § 69.</p> <p>The immunity from civil or criminal liability for performing acts under chapter 71.34.410 is narrowed:</p> <p>(2) This section does not relieve a person from giving the required duty to warn or to take reasonable precautions to provide protection from violent behavior where the minor has communicated an actual threat of physical violence against a reasonably</p>

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			<p>identifiable victim or victims. The duty to warn or to take reasonable precautions to provide protection from violent behavior is discharged if reasonable efforts are made to communicate the threat to the victim or victims and to law enforcement personnel.</p> <p>Restricts dismissal of a detention proceeding for a violation of the time periods contained in RCW 71.34.700 to “the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of [RCW 71.34.700].” §§ 78 and 79. Similar restrictive language is added to other sections of Chapter 71.34 RCW. <i>See</i> §§ 82, 83 and 84 (amending RCW 71.34.710). Release of an offender is mandated for violating the hearing commencement period in RCW 71.34.750. §§ 94 and 95 (amending RCW 71.34.750).</p> <p>Lengthens the initial detention periods from 72 hours to 120 hours. <i>See</i> §§ 86 and 87, (amending RCW 71.34.720), 89 (amending RCW 71.34.730), and 92 (amending RCW 71.34.740).</p> <p>Adds a new section to chapter 71.34 RCW that mirrors the continuance provisions contained in § 37, described <i>supra</i>. § 90.</p> <p>Adds a new section to chapter 71.34 RCW that establishes minimum requirements for less restrictive alternative treatment. § 96.</p> <p>The legislature requests that the Washington Supreme Court establish rules regarding access to court records for proceedings under chapter 71.34 and chapter 71.05 RCW. Unfortunately the list does not include prosecuting attorneys. § 99.</p> <p>Adds a new section to chapter 71.34 RCW to allow for video hearings. § 100.</p> <p>A new section is added to chapter 71.34 RCW that makes the county of residence of the minor or the county where the minor was originally detained when county of residence cannot be determined liable for the cost of a minor’s treatment when the</p>

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			<p>parents of the minor is unable to pay for such treatment or the cost of treatment would create a “substantial hardship” upon the minor or his or her family. § 102. The Department is to adopt standards as to (1) inability to pay in whole or in part, (2) a definition of substantial hardship, and (3) appropriate payment schedules. <i>Id.</i></p> <p>Finally, an involuntary treatment act work group is established to evaluate the effect of changes to chapters 71.05 and 71.34 RCW and to evaluate vulnerabilities in the crisis system. § 103.</p>

COMMUNITY CUSTODY

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
<p>82 SHB 2417</p>	<p>Jun. 11, 2020</p>	<p>Individuals Serving Community Custody Terms</p>	<p>Amends RCW 9.94A.737(2)(b) by providing DOC the discretion whether to treat a 6th or subsequent “low level” community custody violation as a “high level” violation.</p> <p>Allows DOC to impose up to 3 days of total confinement for any low level violation.</p> <p>Offenders who are charged with a violation that constitutes a new criminal offense or who commit a crime in the presence of a CCO shall only be held in total confinement until the earlier of (1) the sanction expires, (2) the date the prosecuting attorney files new charges, or (3) the date a prosecuting attorney provides DOC with written notice that new charges will not be filed for the violation behavior.</p> <p>A new section is added to chapter 72.09 RCW that requires the collection of data regarding community custody violations and sanctions.</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
275 SHB 2393	Jun. 11, 2020	Earning Credit for Complying with Community Custody Conditions	<p>Allows an offender to reduce the period of supervision through an earned award of supervision compliance credit of up to 10 days a month. The credit requires the offender to be in compliance with supervision terms and who are making progress towards the goals of their individualized supervision case plan.</p> <p>The credit is not available to offenders sentenced under RCW 9.94A.507, 9.94A.650, 9.94A.655, 9.94A.660, 9.94A.670, or 10.95.030. The credit is also not available to an offender serving community supervision pursuant to RCW 9.94A.745, 9.94A.730, or 9.95.017.</p>
276 SHB 2394	Jun. 11, 2020	Community Custody	<p>Community custody will be served concurrently with all other terms of community custody unless the court pronouncing the current sentence expressly orders that they be served consecutively. This presumption applies even when terms of incarceration are ordered to be served consecutively.</p> <p>The new concurrent community custody provision applies to all offenders, regardless of whether the offender's date of offense occurred prior to the effective date of this Act.</p>

CORRECTION OFFICERS

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
119 SSHB 2499	Jun. 11, 2020	Certification of Corrections Officers	<p>Criminal Justice Training Commission (CJTC) is given the power to grant, deny, or revoke certifications for corrections officers. This new power applies to local jail officers.</p> <p>Existing corrections officers must timely obtain certification or timely obtain an exemption therefrom to retain their positions. Future corrections officers will need to submit to a background investigation, a psychological examination, and a polygraph.</p> <p>Upon request by a corrections officer's employer or on its own initiative, the commission may deny or revoke certification of any corrections officer after written notice and hearing for a number of specified reasons.</p> <p>Employers of correction officers have a duty to report any termination, including resignation, of a correctional officer to CJTC.</p> <p>Finally, an individual whose peace officer certification is denied or revoked may not thereafter be certified as a corrections officer without first satisfying the requirements of eligibility for certification or reinstatement of certification. A corrections officer whose corrections officer certification is denied or revoked may not thereafter be certified as a peace officer without first satisfying the requirements of eligibility for certification or reinstatement of certification.</p>

COURTS, EVIDENCE, AND NOMENCLATURE (See also [Civil Commitments and Forensic Mental Health](#), [Domestic Violence](#), [Facial Recognition](#), [Firearms](#), [Fish and Wildlife](#), [Immigrants and Non-Citizens](#), [Juveniles](#), [Law Enforcement](#), and [Sex Offenses](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
25 SHB 2295	Jun. 11, 2020	Enforcement of Small Claims Court Judgments	Amends RCW 12.40.105 so as to give the losing party 30 days to pay the judgment before garnishment, execution, and other process may issue. Requires the prevailing party to wait 30 days after entry of the judgment before the judgment may be filed with the superior courts for entry in the superior courts' lien docket.
42 HB 2762	Jun. 11, 2020	Extending the Peer Support Group Testimonial Privilege to Include Staff Persons of the Department of Corrections	Amends RCW 5.60.060 by replacing the phrase "first responder or jail staff person" with the phrase "peer support group client." Extends the peer support privilege to "department of corrections staff person."
53 ESB 5450	Jun. 11, 2020	Superior Court Judges	Authorizes Clark County to add a superior court judge position, but only if Clark County's legislative branch is willing to pay its share of expenses, without reimbursement from the state. Authorizes a third judge for the joint judicial district of Ferry, Pend Oreille, and Stevens but only if the legislative authorities of the three counties are willing to pay their share of expenses, without reimbursement from the state.
57 ESSB 6028	Jun. 11, 2020	Adoption of the Uniform Electronic Transactions Act and Aligning Statutory Provisions Relating to Signatures, Declarations, and Documents	Editor's Note: <i>This act impacts criminal matters and county civil work.</i> New act that applies to a wide range of electronic records and electronic signatures relating to a transaction. The act applies only to transactions between parties each of which has agreed to conduct transactions by electronic means. "Agreement" is a fact based question. "Whether an electronic record or electronic signature has legal consequences is determined by this chapter and other applicable law." § 5(5). Gives legal recognition to electronic records and electronic signatures. § 7. "An electronic record or

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			<p>electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.” § 9.</p> <p>“Waives” usual requirements for notarization and acknowledgment. § 11.</p> <p>“In a proceeding, evidence of a record or signature may not be excluded solely because it is in electronic form.” § 13. Establishes rules for when an electronic record is sent and received, and where an electronic record is deemed to be sent and deemed to be received. § 15.</p> <p>Requires local governments to “determine whether, and the extent to which, a governmental agency will create and retain electronic records and convert written records to electronic records.” § 17.</p> <p>Modifies the definition of “sign” in RCW 5.50.010. § 22.</p> <p>Modifies the forgery statute, RCW 9.38.060, to include electronic signatures. § 24.</p> <p>Modifies the signature requirements for a search warrant for a body cavity search. § 25 (RCW 10.79.080).</p> <p>Modifies a large number of statutes related to corporations, partnerships, and other entities to incorporate or cross-reference the new Uniform Electronic Transactions Act.</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
268 SHB 1293	Jun. 11, 2020	Distribution of Monetary Penalties to Local Courts and State Agencies Paid for Failure to Comply with Discover Pass Requirements	Amends RCW 7.84.100(4) to allow the county treasurer to retain twenty-five percent of the money received for violations of RCW 79A.80.080(5). The retained money must be deposited in the county current expense fund.
274 HB 2390	Jun. 11, 2020	Using Respectful Language Regarding Individuals with Developmental Disabilities	Amends a number of statutes by replacing the phrase “the handicapped” with the phrase “individuals with disabilities,” and the phrase “handicapped persons” with the phrase “persons with disabilities.”
312 ESSB 6287	Jan. 1, 2022, Except for §§ 101 through 122, 301 through 307, 312, 313, 725, 801, 905, and 906, which become effective Jan. 1, 2021; and §§ 902 and 903, which become effective Jun. 11, 2020.	Guardianships and Conservatorships	<p>A 216-page act that amends numerous statutes in Title 11 RCW, adds new sections to chapter 11.130 RCW, amends statutes in chapters 2.56, 2.72, 4.16, 7.28, 7.36, 7.70, 9.35, 9A.44, 13.32A, 13.34, 18.20, 25.15, 29A.08.515, 70.58, 70.97, 71.05, 71.32, 71A.16, 73.36, 74.34, 74.42, and repeals sections of chapter 26.10 RCW.</p> <p>The sections that are most likely to impact prosecutors are as follows:</p> <p>§ 111 affirms the validity of orders issued under chapter 26.10 after the effective dates of chapter 437, Laws of 2019, with subsequent modifications to such orders being subject to chapter 11.130.</p> <p>§ 112 adds a new section to chapter 11.130 that deals with TROs. This section replaces RCW 26.10.040. <i>[Editor’s Notes: RCW 26.10.220 which made it a crime to violate a restraining order issued under chapter 26.10 RCW, which required mandatory arrest for violations of such a restraining order and which granted immunity for officers making an arrest so long as the officer acted in good faith and without malice, is repealed by this act as of January 1, 2021. See § 905(27). This act does not contain a parallel position, nor were the new chapter 11.130 restraining orders added to RCW 10.31.100(2)(a)’s mandatory arrest provisions or to RCW 10.31.100(9)’s exemption from the presence rule or to RCW 26.50.110. Absent legislative action,</i></p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p><i>no arrests or prosecutions may be based upon a violation of a § 112 restraining order.]</i></p> <p>§ 704 updates the list of individuals who may file a writ of habeas corpus on behalf of another person. RCW 7.36.020 now provides that</p> <p style="padding-left: 40px;">Writs of habeas corpus shall be granted in favor of parents, guardians, limited guardians where appropriate, spouses or domestic partners, and next of kin, and to enforce the rights, and for the protection of minors and persons who have been placed under a guardianship under RCW 11.130.265 or under a conservatorship under RCW 11.130.360; and the proceedings shall in all cases conform to the provisions of this chapter.</p> <p>§ 707 amends the definition of “frail elder or vulnerable adult” in RCW 9A.44.010 that is applicable to chapter 9A.44 to include “a person who has been placed under a guardianship under RCW 11.130.265 or a conservatorship under RCW 11.130.360,” rather than a person “found incapacitated under chapter 11.88 RCW.”</p> <p>§ 735 amends RCW 74.34.020 by deleting the current definition of “incapacitated person” and altering the definition of “vulnerable adult” to include a person “Subject to a guardianship under RCW 11.130.265 or adult subject to conservatorship under RCW 11.130.360.” <i>[Editor’s note: This definition applies to mandated reports under RCW 74.34.035 and to criminal mistreatment prosecutions as the definition of “dependent person” in RCW 9A.42.010 includes “a frail elder or vulnerable adult, as defined in RCW 74.34.020(22).”]</i></p>

COVID 19 AND COMMUNICABLE DISEASES

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
<p>7 EHB 2965</p>	<p>Mar. 17, 2020</p>	<p>State's Response to the Novel Coronavirus</p>	<p>Appropriates \$175 million dollars from the budget stabilization account solely for the expenditure for state, local government, and federally recognized tribes' response to the novel coronavirus.</p> <p>Appropriates \$175 million dollars from the disaster response account and \$25 million from the general fund solely for allotment to state agencies and for distribution to local governments and federally recognized tribes for response to the novel coronavirus. These funds may not be used to supplant existing funds for services and activities that will assist in the response to the novel coronavirus. Funds cannot be sought unless the requesting entity can demonstrate maximum use of available federal funds for novel coronavirus response and recovery. If funds are received, any subsequent federal funds that are received must be remitted to the state treasurer.</p> <p>Appropriates additional funds for unemployment purposes. A new section is added to chapter 50.29 that allows a contribution paying employer to submit an application by September 30, 2020, to the employment security department to have the approved benefits paid to approved employees be reimbursed by the COVID-19 unemployment account instead of charged to the employer's experience rating account. These options are limited to "approved employees" and "approved benefits" that are defined in section 5 of the act.</p> <p>Includes school waiver provisions and some adjustments regarding payments to nursing homes.</p>
<p>76 ESHB 1551</p>	<p>Jun. 11, 2020</p>	<p>Modernizing the Control of Certain Communicable Diseases</p>	<p>Expands chapter 70.24 RCW to cover blood-borne pathogens in addition to sexually transmitted diseases. Some diseases included in this classification are hepatitis B virus, hepatitis C virus, human immunodeficiency virus, and other pathogens specified by the state board of health.</p> <p>Specifies when a state or local health officer may</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>conduct an investigation of a person who has a sexually transmitted disease and who is engaging in specified behavior that endangers the public health. Allows for the issuance of a health order regarding testing and treatment, allowing for court enforcement of the order. § 3 amending RCW 70.24.024.</p> <p>Adds a new gross misdemeanor for a person who fails to comply with a health order issued under RCW 70.24.024. § 4.</p> <p>Adds a new misdemeanor/gross misdemeanor offense to chapter 70.24 RCW for intentionally transmitting HIV to a partner who did not know that the defendant had HIV. It is a gross misdemeanor if the defendant knowingly misrepresented his or her infection status to the partner. Sex offender registration will be required if the partner is a child or vulnerable adult victim. § 5. Amends RCW 9A.36.011 to make it an assault in the first degree to transmit HIV to a child or vulnerable adult when the defendant acts with the intent to inflict great bodily harm. Removes HIV from the “administers, exposes” alternative means of committing first degree assault. § 16.</p> <p>Carves the two new crimes described above from RCW 70.24.080. § 6.</p> <p>Makes significant changes to RCW 70.24.340: (1) removes mandatory HIV testing for defendants convicted of sexual offenses and other specified crimes; and (2) alters the procedure by which a law enforcement officer, jail staff employee, and certain other employees can obtain an order that compels an HIV test and/or tests for other blood-borne pathogens of a person who exposed the employee requesting the test of bodily fluids. § 13.</p> <p>Allows jail administrators, with the approval of the local health officer, to order blood-borne pathogen testing of a detainee whose behavior exposed the staff, general public, or other persons to a possible risk of transmitting a blood-borne pathogen. §14.</p>

CRIME VICTIMS (See also [COVID 19 and Communicable Diseases](#), [Domestic Violence](#), [Immigrants and Non-Citizens](#), and [Sex Offenses](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
308 SSSB 6181	Jun. 11, 2020	Crime Victims' Compensation	<p>Extends the time for filing an application for compensation in RCW 7.68.060 from two years to three years. § 1.</p> <p>Amends RCW 7.68.061 to preclude certain individuals from collecting crime victim compensation:</p> <p style="padding-left: 40px;">If injury or death results to a minor victim from the deliberate intention of a legal guardian or custodian of the minor victim to produce the injury or death, or if injury or death results to a minor victim as a consequence of a legal guardian or custodian of the minor victim engaging in an attempt to commit, or the commission of, a felony, the legal guardian or custodian shall not receive any payment under this chapter.</p> <p>§ 2.</p> <p>Authorizes the legal guardian or custodian of a minor victim to received up to thirty days of lost wages for time accompanying the minor victim to medical or counseling services related to the crime and to criminal justice proceedings. § 3 (amending RCW 7.68.070).</p>

DATA BREACHES

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
65 SB 6187	Jun. 11, 2020	Modifying the Definition of Personal Information for Notifying the Public about Data Breaches of a State or Local Agency System	RCW 42.56.590 to require notifications of breaches when there has been an unauthorized disclosure of an individual's name along with the last four digits of the social security number.

DEFENSES TO CRIMES

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
3 EHB 1687	Jun. 11, 2020	Limiting Defenses Based on Victim Identity	Adds a new section to chapter 9A.16 that provides a “person is not justified in using force against another based on the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived gender, gender identity, gender expression, or sexual orientation, including under circumstances in which the victim made an unwanted nonforcible romantic or sexual advance towards the defendant, or in which the defendant and victim dated or had a romantic or sexual relationship.

DOMESTIC VIOLENCE (See also [Crime Victims](#) and [Immigrants and Non-Citizens](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
29 SHB 2473	Mar. 18, 2020	Domestic Violence	Amends numerous statutes to add “intimate partner,” including, but not limited to firearm statutes, RCW 9.41.010, .040. and .340. Amends RCW 9A.36.041, felony fourth degree assault, to include “intimate partners.” Mandatory arrest provisions in RCW 10.31.100 extend to both “family or household members” and “intimate partners.”
296 SSSB 5149	Jun. 11, 2020	Electronic Monitoring with Victim Notification Technology	Amends the definition of “electronic monitoring” in RCW 9.94A.030 to include active or passive GPS that “includes electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored individual enters within the restricted distance of a victim or protected party, or within the restricted distance of a

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>designated location.”</p> <p>Allows for use of such electronic monitoring as part of a sexual assault protection order (RCW 7.90.010), a stalking protection order (RCW 7.92.020), and a DV no contact order (RCW 10.99.020). <i>[Editor’s note: Although not a part of this Act, RCW 26.50.60(j) already allows the court to require a respondent to submit to electronic monitoring.]</i></p> <p>Requires the Administrative Office of the Courts to develop a list of vendors and to create an informational handout about the new services. Public employees are immune from civil liability unless they acted with gross negligence or in bad faith.</p>
<p>311 ESSB 6268</p>	<p>Jan. 1, 2021</p>	<p>Abusive Litigation</p>	<p>Act is intended to respond to “individuals who misuse court proceedings in order to control, harass, intimidate, coerce, and/or impoverish the abused partner.” § 1.</p> <p>Adds a new chapter to Title 26 RCW. This chapter defines abusive litigation and other chapter specific terms. A party to a case may request from the court an order restricting abusive litigation if the parties are current or former intimate partners and one party has been found by the court to have committed domestic violence against the other party. The unrestricted party may file actions under the new chapter or another action in Title 26 RCW without paying a filing fee. Specifies the restrictions that a court may impose while allowing the restricted person to seek permission to file a new case or a motion in an existing case provided the restricted person follows the procedure set out in the statute. §§ 2-7. <i>[Editor’s note: Washington judges already have the inherent authority to restrict a vexatious litigant’s access to the courts. See, e.g., Marriage of Giordano, 57 Wn. App. 74, 77 (1990). This new chapter does not divest a court of its inherent authority, it simply creates a specific framework to follow in DV cases.]</i></p> <p>Expands the definition of “abusive use of conflict” in the parenting plan statute, RCW 26.09.191. § 8.</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			Amends RCW 26.50.060 to specifically authorize the judge to enter an order restricting the respondent from engaging in abusive litigation. A protected person may also bring a stand alone motion for such an order, so long as it is made within five years of the date the order that made a finding of domestic violence was entered. § 9.

DRIVER LICENSES (See also [Impaired Driving](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
16 SSHB 2066	Jan. 1, 2022	Restrictions on Driver's Licenses Associated with Certain Criminal Offenses	Amends RCW 46.20.285 so that the suspension for use of a motor vehicle in the commission of a felony will only apply "where the sentencing court determines that in the commission of the offense a motor vehicle was used in a manner that endangered persons or property."
261 SSB 6429	Jan. 1, 2022	Providing a Designation on a Driver's License or Identicard That a Person Has a Developmental Disability	Amends RCW 46.20.117 and RCW 46.20.161 to allow an individual to include a medical alert designation, a developmental disability designation, or a deafness designation, on an identicard or drivers license. The designation is based upon the self-attestation of the individual or his her parent or legal guardian if under the age of 18. A self-attestation or data contained in a self-attestation shall not be disclosed and is for the confidential use of the director, the chief of the Washington state patrol, and law enforcement and emergency medical service providers as designated by law.

ELECTIONS

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
337 ESHB 2421	Jul. 1, 2020	State Reimbursement of Election Costs	<p>The state assumes a proportionate share of the costs associated with primary elections and all general elections that contain races for state or federal offices or statewide measures.</p> <p>The state will reimburse the county for the costs of recounts for any office where the candidates filed the declarations of candidacy with the secretary of state, any legislative office, and any congressional office.</p>
152 SSB 6152	Jun. 11, 2020	Certification Concerning the Level of Foreign National Ownership and Control of Entities That Participate in Washington State Elections	<p>Adds a new provision to chapter 42.17A RCW prohibiting foreign nationals from contributing to any candidate or political committee. § 9. Amends a number of existing reporting statutes in chapter 42.17A RCW that require the person or entity filing the report to include a statement affirming non-participation by foreign nationals. Requires candidates or political committees to obtain certifications that money received “from a partnership, association, corporation, organization, or other combination of persons” does not include contributions from foreign nationals. Violations of chapter 42.17A committed with actual malice are subject to criminal prosecution. <i>See</i> RCW 42.17A.750(2) (misdemeanor, gross misdemeanor, and a class C felony).</p>

EMPLOYMENT LAW (See also [Immigrants and Non-Citizens](#) and [Public Records Act](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
125 SHB 2614	Jun. 11, 2020, except § 1 which becomes effective on Mar. 25, 2020	Paid Family and Medical Leave	<p>Adds new definitions applicable to title 50A RCW, including “casual labor,” “paid time off,” and “supplemental benefit payments.”</p> <p>Eligible employees may satisfy the waiting period for state benefits while simultaneously receiving paid time off.</p> <p>The amount an eligible employee receives as a weekly benefit will not be reduced by the receipt of supplemental benefit payments.</p> <p>If the employee owes child support obligations, the department must notify the applicable state or local child support enforcement so that the award may be redirected to the child support obligation.</p> <p>Imposes a 3-year SOL on a complaint that an employee files with the department that alleges one or more unlawful acts under chapter 50A.40 RCW and for a private action to recover damages under RCW 50A.40.030.</p> <p>Specifies the damages available in either a private cause of action or an administrative action.</p>

FACIAL RECOGNITION

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
257 ESSB 6280	July 1, 2021	Use of Facial Recognition Services	<p>Adds a new chapter to Title 43 RCW that limits state and local governmental agencies’ use of facial recognitions services to locating or identifying missing persons, identifying deceased persons, subjects of Amber alerts and silver alerts, and other possible crime victims.</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>Requires an agency that wishes to develop, procure, or use a facial recognition service to file an accountability report with the local legislative a Adds a new provision to chapter 42.17A RCW prohibiting foreign nationals from contributing to any candidate or political committee. § 9. Amends a number of existing reporting statutes in chapter 42.17A RCW that require the person or entity filing the report to include a statement affirming non-participation by foreign nationals. Requires candidates or political committees to obtain certifications that money received “from a partnership, association, corporation, organization, or other combination of persons” does not include contributions from foreign nationals. Violations of chapter 42.17A committed with actual malice are subject to criminal prosecution. <i>See</i> RCW 42.17A.750(2) (misdemeanor, gross misdemeanor, and a class C felony). The accountability report must include specific information as to the service that will be used, its limitations, the proposed uses of the service, data management, training and testing procedures, potential impacts on civil rights, and a number of other issues. Finalizing the accountability report requires public review and comment, with at least three community consultation meetings. The accountability report must be updated every two years.</p> <p>Deployment of facial recognition requires operational testing, and meaningful human review and periodic training and testing.</p> <p>A criminal defendant must be advised if facial recognition played a part in the investigation prior to trial. Facial recognition may not be the sole basis for establishing probable cause in a criminal investigation.</p> <p>Search warrants will be required to use facial recognition services for surveillance and courts must file a report of the number of such warrants issued each year to the administrator for the courts.</p>

FELONY SENTENCING (See also [Community Custody](#), [Driver Licenses](#), [Impaired Driving](#) and [Law Enforcement](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
55 SSB 5867	Jun. 11, 2020	Resentencing of Persons Convicted of Drug Offenses	<p>Requires prosecuting attorneys to note up a hearing for resentencing of any offender who is serving a term of incarceration on or after June 11, 2020, for a violation of chapter 69.50 or 69.52 RCW, that was committed prior to July 1, 2004. The only exception is that an offender is not entitled to resentencing under this section if the offender has been convicted of a most serious offense or a violent offense.</p> <p>“The sentencing court shall grant the motion if it finds that the offender is serving a sentence for a violation of chapter 69.50.20 or 69.52 RCW that was committed prior to July 1, 2004, and shall immediately set an expedited date for resentencing. At resentencing, the court shall sentence the offender as if the offender had not previously been sentenced, provided the new sentence is no greater than the initial sentence.”</p> <p><i>Editor’s Note: It appears that there is only one inmate who falls within the above parameters. His conviction arose in Pierce County.</i></p>
137 ESSB 5291	Jun. 11, 2020	Creating Alternatives to Total Confinement for Certain Qualifying Persons with Minor Children	<p>Expands the parental sentencing alternative codified at RCW 9.94A.655. While offenders with a current or prior felony sex offense, serious violent offense, or a felony offense where the offender was armed with a firearm or deadly weapon, and offenders with a current conviction for a violent offense are not eligible for this alternative, a non-custodial biological parent, adoptive parent, custodian or stepparent “with a proven, established, ongoing, and substantial relationship with a minor child that existed at the time of the offense, may receive this special sentence. “The existence of a prior substantiated referral of child abuse or neglect or of an open child welfare case does not, alone, disqualify the parent from applying or participating in this alternative.”</p> <p>DOC is authorized to transfer more offenders who</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			do not receive a parental sentencing alternative sentence to home detention toward the end of his/her sentence. Offenders eligible for such a transfer may have a past sex offense or serious violent offense or a current violent offense. § 3 (amending RCW 9.94A.6551)
141 SSSB 5488	Jun. 11, 2020	Sentencing of Youth and Young Adults	<p>Adds this subsection to RCW 9.94A.533:</p> <p>Regardless of any provisions in this section, if a person is being sentenced in adult court for a crime committed under age eighteen, the court has full discretion to depart from mandatory sentencing enhancements and to take the particular circumstances surrounding the defendant's youth into account.</p>
203 SB 6164	Jun. 11, 2020	Prosecutorial Discretion to Seek Resentencing	<p>Adds a new section to chapter 36.27 RCW that grants the county prosecutor the discretion to petition the sentencing court for a new sentencing hearing in a felony case “if the original sentence no longer advances the interests of justice.” The court at such a sentencing hearing must still apply the version of the SRA that was in effect on the day the offender committed his or her crime.</p>
252 SSSB 6211	Jan. 1, 2021	Drug Offender Sentencing	<p>Amends eligibility requirements for a DOSA sentence pursuant to RCW 9.94A.660. An offender with a current or prior sex offense is eligible provided he is not currently or may be required to register pursuant to RCW 9A.44.130. But an offender convicted of robbery in the second degree that involved the use of a firearm and was reduced from robbery in the first degree within seven years before conviction of the current offense is a disqualifier.</p> <p>A residential DOSA is available for slightly longer sentences, those with a midpoint of the standard range is 26 months or less, rather than those with a midpoint of the standard range of 24 months or less.</p> <p>An examination ordered by the court to determine whether to impose DOSA must be performed by an</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>agency certified by the department of health to provide substance abuse services.</p> <p>The Washington state institute for public policy is required to submit a report by November 1, 2022, analyzing the effectiveness of the drug offender sentencing alternative in reducing recidivism among various offender populations. § 1 (amending RCW 9.94A.660).</p> <p>A prison-based DOSA is available whenever the high end of the standard sentence range for the current offense is greater than one year. § 2 (amending RCW 9.94A.662).</p> <p>When imposing a residential DOSA the court may set the treatment program at any length up to six months. The sentence may include an indeterminate term of confinement of no more than thirty days in a facility operated or utilized under contract by the county in order to facilitate direct transfer to a residential substance use disorder treatment facility. § 3 (amending RCW 9.94A.664).</p> <p><i>Editor's note</i>– the above alterations to DOSA only applies to offenses committed on or after January 2, 2021. See § 5 and RCW 9.94A.345. See also <i>State v. Molia</i>, 12 Wn. App. 2d 895 (2020) (2019 amendment to RCW 9.94A.030(33) removing second degree robbery from the list of offenses that qualify as strike offenses does not apply to crimes committed prior to the effective date of the amendment); <i>State v. Jenks</i>, 12 Wn. App. 2d 588 (2020) (same).</p>

FIREARMS (See also [Civil Commitment and Forensic Mental Health Services](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
<p>28 ESSHB 2467</p>	<p>Jun. 11, 2020 §§5-9 take effect 30 days after WSP issues notification that its system is up and ready</p>	<p>Establishing a Centralized Single Point of Contact Background Check System for Firearms Transfers</p>	<p>WSP is required to establish a firearms background check unit to serve as a centralized single point of contact for dealers to conduct background checks for firearms sales or transfers required under chapter 9.41 RCW and the federal Brady handgun violence prevention act (18 U.S.C. Sec. 921 et seq.).</p> <p>WSP must report each instance where an application for the purchase or transfer of a firearm is denied as the result of a background check that indicates the applicant is ineligible to possess a firearm to the local law enforcement agency in the jurisdiction where the attempted purchase or transfer took place.</p>
<p>36 SHB 2555</p>	<p>Jun. 11, 2020</p>	<p>Background Check Requirements for Firearms Classified as Other under Federal Firearms Laws</p>	<p>Requires dealers to use the state firearms background check system that is established within the WSP for purchases or transfers of firearm frames or receivers. This new section that will be added to chapter 9.41 RCW provides that “A person who knowingly makes a false statement regarding identity or eligibility requirements on the application to purchase a firearm frame or receiver is guilty of false swearing under RCW 9A.72.040.”</p>
<p>126 SHB 2611</p>	<p>Jun. 11, 2020</p>	<p>Procedures for Ensuring Compliance with Court Orders Requiring Surrender of Firearms, Weapons, and Concealed Pistol Licenses</p>	<p>Amends RCW 9.41.801 to require personal service of an order restricting a respondent/defendant’s access to firearms when the order is entered in open court in the presence of the respondent. The respondent/defendant is require to acknowledge receipt and service. If the respondent/defendant refuses service, the court may have that fact indicated on the record. If the respondent/defendant accepts service, the service and receipt shall be entered into the record and the order and service shall be transmitted immediately to law enforcement.</p> <p>Other amendments address options for addressing a respondent/defendant’s failure to provide proof of compliance with the court’s order, failure to appear at any show cause hearing, or other violations. If a show cause hearing is required, the law enforcement</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>agency is given notice of the hearing and must provide the court with information as to firearms and other dangerous weapons surrendered by the respondent or otherwise belonging to the respondent that are in the possession of the law enforcement entity, verification that any concealed pistol license has been surrendered and that the agency with authority to revoke the license has been notified, and a declaration that sets out the basis, if any, that support a reasonable suspicion that the respondent is not in full compliance with the term of the order.</p> <p>The amendments described <i>supra</i> are also made to RCW 7.94.090. In addition, the following language is added to RCW 7.94.090:</p> <p style="padding-left: 40px;">A law enforcement agency holding any surrendered firearm or concealed pistol license shall comply with the provisions of RCW 9.41.340 and 9.41.345 before the return of the firearm or concealed pistol license to the owner or individual from whom it was obtained.</p>
<p>189 ESSB 5434</p>	<p>Jun. 11, 2020</p>	<p>Restricting Possession of Weapons in Certain Locations</p>	<p>Adds a new section to chapter 9.41 RCW that makes it</p> <p>unlawful for a person to carry onto, or to possess on, licensed child care center premises, child care center-provided transportation, or areas of facilities while being used exclusively by a child care center:</p> <p>(a) Any firearm;</p> <p>(b) Any other dangerous weapon as described in RCW 9.41.250;</p> <p>(c) Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas; or</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>(d)(i) Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun that projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse; or</p> <p>(ii) Any device, object, or instrument that is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse.</p> <p>A violation of this new offense is a gross misdemeanor and is accompanied by a three year revocation of the defendant's concealed pistol license.</p> <p>There are exemptions for family day care provider homes, for law enforcement, and for certain individuals while picking up or dropping of a child at a child care center.</p> <p>The department is required to adopt rules regarding the required "GUN-FREE ZONE" signs and proper storage of firearms or other dangerous weapons in family day care provider homes.</p>
313 ESSSB 6288	Jun. 11, 2020	Washington Office of Firearm Safety and Violence Prevention	Adds a new chapter to Title 43 RCW. Creates a new office of firearm and safety violence prevention for the purposes of coordinating and promoting effective state and local efforts to reduce firearm violence.

FISH AND WILDLIFE

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
38 ESHB 2571	Jun. 11, 2020	Increased Deterrence and Meaningful Enforcement of Fish and Wildlife Violations	<p>Allows officers to return seized fish, shellfish, and wildlife to the environment or to otherwise safely dispose of “if storage is not practical under the circumstances, after the evidentiary value of the seized fish, shellfish, or wildlife has been preserved through photographs, measurements, biological samples, or other reasonable means. If an exculpatory value is clearly apparent in the seized fish, shellfish, or wildlife, and the exculpatory value is not otherwise reasonably obtainable, the fish, shellfish, or wildlife should be retained.”</p> <p>Defines what constitutes a “conviction” for purposes of license issues and recidivist statutes.</p> <p>Authorizes civil penalties, many in the form of infractions , that are cumulative and nonexclusive and that do not affect any criminal prosecution or investigatory authority over criminal offenses.</p> <p>Makes RCW 7.84.070 consistent with other infraction statutes by adding a new subsection which provides that:</p> <p style="padding-left: 40px;">The attorney representing the state, county, city, town, or agency authorized to issue an infraction as defined in RCW 7.84.020 may appear in any proceedings under this chapter but need not appear, notwithstanding any statute or rule of court to the contrary.</p>

GAMBLING

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
62 SB 6119	Jun. 11, 2020	Authorizing That Money Laundering Forfeited Proceeds and Property Be Used for Improvement of Gambling-related Law Enforcement Activities	Allows property obtained in an RCW 9A.83.030 forfeiture action to be used in gambling-related law enforcement activities.
127 ESHB 2638	Mar. 25, 2020	Authorizing Sports Wagering Subject to the Terms of Tribal-state Gaming Compacts	<p>Authorizes sports wagering, but only at tribal casinos.</p> <p>Adds a new section to chapter 9.46 RCW that renders sports wagering conducted pursuant to a gaming compact with a federally recognized tribe will not be subject to civil or criminal penalties pursuant to RCW 9.46.225.</p> <p>Extends RCW 9.46.130 auditing provisions to databases, hardware, software, and any other electronic data storage devices.</p> <p>Creates a new unranked class C felony for (1) offering, promising, giving, or attempting to give anything of value to any person for the purpose of influencing the outcome of a sporting event, athletic event, or competition upon which a wager may be made, (2) placing, increasing, or decreasing a wager after acquiring knowledge, not available to the general public, that anyone has been offered, promised, or given any thing of value for the purpose of influencing the outcome of a sporting event, athletic event, or competition upon which the wager is placed, increased, or decreased, (3) offering, promising, giving or attempting to give anything of value to obtain confidential or insider information not available to the public with intent to use the information to gain a wagering advantage on a sporting event, athletic event, or competition, or (4) accepting or agreeing to accept, anything of value for the purpose of wrongfully influencing his or her play, action, decision making, or conduct in any sporting event, athletic event, or competition upon which a wager may be made.</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>Parallel provisions and one additional provision are added to RCW 9.46.190, which applies to the operators of gambling activities. A violation of RCW 9.46.190 is increased from a gross misdemeanor to an unranked class C felony.</p> <p>The crime of professional gambling in the first degree, RCW 9.46.220, is expanded to include engaging in bookmaking.</p> <p>The gambling commissions charter is expanded to include enforcement of chapters 9A.83, 67.04, 67.24, “or any other state penal laws related to the integrity of sporting events, athletic events, or competitions within the state,” “including the use of 8 funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, use of agents to place wagers, or use of false identification by a player.”</p>

IMMIGRANTS AND NON-CITIZENS (See also [Miscellaneous Criminal](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
37 SHB 2567	Jun. 11, 2020	Courts Open to All Act	Prohibits arrests for an alleged violation of civil law at any court facility absent a court order issued by a judge or magistrate under the authority of Article III of the United States Constitution or Article IV of the state Constitution that has been reviewed by a designated judicial officer at the courthouse facility before the arrest is made. The “civil arrest immunity” extends to an area within one mile of a court facility “while “going to” and “returning from” the court facility.

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>Bars judges, court staff, court security personnel, prosecutors and personnel of the prosecutor’s office from inquiring into or collecting information about an individual’s immigration or citizenship, or place of birth, unless there is a connection between such information and an investigation into a violation of state or local criminal law. Also bars providing nonpublicly available personal information about an individual to federal immigration authorities for the purposes of civil immigration enforcement or notifying federal immigration authorities of the presence of individuals attending proceedings or accessing court services in court facilities unless required by federal law or court order.</p> <p>Court security personnel must collect information from law enforcement officers entering court facilities unless</p>
<p>52 ESB 5165</p>	<p>Jun. 11, 2020</p>	<p>Discrimination Based on Citizenship or Immigration Status</p>	<p>Adds “citizenship or immigration status” to numerous sections of chapter 49.60 RCW a/k/a the “law against discrimination.” There is, however, a caveat “to the extent that distinction or differential treatment on the basis of citizenship or immigration status is authorized by federal or state law, regulation, or government contract, it is not an unfair practice.” This caveat appears in some individual sections and in a new section to chapter 49.60 RCW.</p>
<p>136 TSSB 5164</p>	<p>Feb. 1, 2022</p>	<p>Providing Public Assistance to Victims of Certain Crimes Including Human Trafficking</p>	<p>Extends public assistance to “a noncitizen and any qualifying family members who have:” (i) filed or plan to file an application for a T visa; (ii) filed or plan to file an application for a U visa; and (3) been harmed by a violation of chapter 9A.40 or 9.68 RCW or a comparable federal or other state law. Freezes T and U visas as the programs existed on January 1, 2020. § 1.</p> <p>Available public assistance includes food assistance and medical care.</p>

IMPAIRED DRIVING

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
117 SHB 2483	Jun. 11, 2020	Vehicle Impoundment and Redemption Following Arrest for Driving or Being in Physical Control of a Vehicle While under the Influence of Alcohol or Drugs	<p>Responds to the Supreme Court’s recent decision in <i>State v. Villela</i>.</p> <p>Amends RCW 46.55.113 to authorize a police officer to take custody of a vehicle, at his or her discretion, whenever the driver of a vehicle is arrested for a violation of RCW 46.61.502 or 46.61.504.</p> <p>Amends RCW 46.55.360 to allow for 12 hour holds of vehicles that an officer exercises his or her discretion to impound when the driver is arrested for a violation of RCW 46.61.502 or 46.61.504, subject to the prior exemptions.</p>
219 ESHB 2322	Mar. 31, 2020	Transportation Funding and Appropriations	Increases the appropriation to address the increase in the number of toxicology cases from impaired driving and death investigations from \$514,000 to \$2,342,000. § 207(6).
330 TSHB 1504	Jun. 11, 2020, except for §§ 2, 3, 5 through 12, and 14 through 18, which become effective Jan. 1, 2022	Impaired Driving	<p>Provides that the minor child enhancement is mandatory and shall run consecutively to all other sentencing provisions. § 1 (amending RCW 9.94A.533).</p> <p>Removes any good time for that portion of a sentence that is comprised of any impaired driving enhancements under RCW 9.94A.533(7) and/or minor child enhancements under RCW 9.94A.533(13). § 2 (amending RCW 9.94A.729).</p> <p>Removes the “and the offense involves alcohol” limitation for imposition of an ignition interlock requirement for persons charged with or convicted of RCW 46.61.502, 46.61.504, 46.61.520, and 46.61.522. § 3 (amending RCW 10.21.055)</p> <p>Extends the emergency response restitution statute, RCW 38.52.430, to physical control. Requires that “All payments for the cost reimbursement must be remitted directly to the public agency or agencies that incurred the cost associated with the emergency response.” § 4 (amending RCW 38.52.430).</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>Makes changes to statutes governing reinstatement of licenses following suspensions related to refusing to take a breath test and/or conviction of alcohol or drug related offenses. <i>See</i> § 5 (amending RCW 46.20.245); § 6 (amending RCW 46.20.3101); § 7 (amending RCW 46.20.311); and § 8 (amending RCW 46.20.355).</p> <p>Alters the fees that may be collected with respect to ignition interlock devices, reduces the set point of the device from 0.025 to 0.020, provides for extension of requirement periods under certain circumstances, and a restriction upon who may remove an ignition interlock device from a vehicle. § 9 (amending RCW 46.20.385) and § 10 (amending RCW 46.20.720).</p> <p>Adds a requirement that the court must immediately notify DOL any time a person is convicted of operating a motor vehicle that lacks an ignition interlock device in violation of RCW 46.20.740. § 11.</p> <p>Expands the crime of tampering with an ignition interlock device, RCW 46.20.750, to include tampering with “any components of the device, or otherwise interferes with the proper functionality of the device.” A court must immediately notify DOL of any conviction of RCW 46.20.750. § 12.</p> <p>Grants police officers the discretion to impound a motor vehicle “Upon determining that a person restricted to use of only a motor vehicle equipped with a functioning ignition interlock device is operating a motor vehicle that is not equipped with such a device in violation of RCW 46.20.740(2).” § 13 (amending RCW 46.55.113).</p> <p>Amends the penalty provisions in RCW 46.61.5055 expressly limiting the conversion of imprisonment unless imposition of the mandatory minimum sentence would impose a substantial risk to the offender’s physical or mental well-being. Conversions of imprisonment are to increased periods of electronic home monitoring. The ignition</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			interlock requirement for having a minor passenger in the vehicle is increased to 12 months, with an additional 18 months for second and subsequent passengers. § 15 (amending RCW 46.61.5055).

JUVENILES (See also [Civil Commitment and Forensic Mental Health Services](#), [Law Enforcement](#), and [Sex Offenses](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
167 SSB 1191	Jun. 11, 2020	School Notifications	Amends sections of the juvenile code, provisions related to sex offender registration, and amends and adds provisions related to the handling of information that a current or anticipated student has been convicted or adjudicated of certain crimes.
184 SHB 2794	Jun. 11, 2020, except §§ 1, 2, and 4 which become effective Jan. 1, 2021	Juvenile Record Sealing	Alters the provisions governing the setting of an administrative sealing hearing. § 1 (amending RCW 13.50.260. Requires entry of a written order when administrative sealing is denied that specifies the amount of restitution the respondent must pay before the record may be sealed. <i>Id.</i> A dismissal following a deferred disposition under RCW 13.40.127 will not result in the immediate sealing of the file under RCW 13.50.260(2). After entry of a sealing order “All criminal justice agencies must not disclose confidential information or sealed records accessed through the Washington state identification system or other means, and no information can be given to third parties other than Washington state criminal justice agencies about the existence or nonexistence of confidential or sealed records concerning an individual.” § 1. <i>See also</i> § 2 (amending RCW 10.97.050).

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			The “act applies to all juvenile record sealing hearings commenced on or after [January 1, 2021], regardless of when the underlying hearing was scheduled or the underlying record was created. To this extent, this act applies retroactively, but in all other respects it applies prospectively.” § 4 and 5.
191 SSB 5640	Jun. 11, 2020	Youth Courts	<p>Expands the jurisdiction of youth courts to transit infraction and civil infractions. § 1 (amending RCW 3.72.005). Also allows a youth court to accept referrals of traffic, transit, and civil infractions committed by juveniles age twelve through fifteen from a juvenile court diversion unit under RCW 13.40.250(5), provided that the youth court follows all conditions of RCW 13.40.250(5). <i>Id.</i></p> <p>Adds language to RCW 13.40.250(5) that addresses a diversion agreement that includes a referral to a youth court program. § 5.</p>
249 ESB 6180	Jun. 11, 2020	Juvenile Sex Offense Registration Waivers under the Special Sexual Offender Disposition Alternative	<p>Extends the special sex offender disposition alternative (SSODA) to offenders who have been found to have committed assault in the fourth degree with sexual motivation.</p> <p>Creates a presumption that an offender who has successfully completed a SSODA should no longer need to register as a sex offender.</p> <p>Expands the type of professionals who may provide treatment pursuant to a SSODA.</p>
333 SSHB 3277	Jun. 11, 2020	Youth Solitary Confinement	<p>Adds a new chapter to Title 13 RCW that establishes rules for the use of solitary confinement. For purposes of this act,</p> <p>"Solitary confinement" means a youth is involuntarily separated from the youth population and placed in a room or cell other than the room assigned to the youth for sleeping for longer than fifteen minutes for punitive purposes. Different terminology does not exempt practice from being "solitary confinement."</p> <p>§ 2(9).</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>Requires the Department of Children, Youth, and Families to adopt a model policy by July 1, 2021, that prohibits the use of solitary confinement of juveniles in detention facilities and institutions, and also limits the use and duration of isolation and room confinement. § 4.</p> <p>County detention facilities must compile, on a monthly basis, specific information with respect to isolation and room confinement. § 6. Information collected prior to November 1, 2022, must be compiled into a report and submitted to the department. After November 1, 2022, the information must be compiled annually and posted on the detention facility’s web site. <i>Id. See also</i> § 7.</p> <p>Amends RCW 13.04.116 to address confinement of a juvenile who is subject to exclusive adult criminal jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110. The juvenile may only be held in an adult facility upon order of the court and may only have sight or sound contact with adult inmates upon order of the court. Any such court order must be reviewed by the court at least once every 30 days. After 180 days, the juvenile must either agree to continue to be held with sight or sound contact with adult inmates or the court, in writing, determines that there is good cause to allow an extension beyond one hundred eighty days.</p>

LAND USE AND ENVIRONMENTAL LAWS

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
20 SHB 2246	Jun. 11, 2020, except § 1035 which become effective Jun. 30, 2021, and §§446-1450 which become effective Jul. 1, 2020	Reorganization of Laws Related to Environmental Health Without Making Any Substantive, Policy Changes.	<p>This act is intended to make technical amendments to certain codified statutes that involve environmental and public health. Any statutory changes made by this act should be interpreted as technical in nature and not interpreted to have any substantive, policy implications. The act collects most of the statutes in a new title to the RCW– Title 70A RCW.</p> <p>“State agencies, local air authorities, local boards of health, and other local governments that have adopted rules that rely upon or otherwise reference an authority provided in a chapter that is recodified by this act are encouraged to update affected rules to reflect new statutory references compelled by the recodification by July 1, 2025.”</p>
27 ESSHB 2405	Jun. 11, 2020	Commercial Property Assessed Clean Energy and Resilience	<p>This chapter authorizes the establishment of a commercial property assessed clean energy and resiliency ("C-PACER") program that jurisdictions can voluntarily implement to ensure that free and willing owners of agricultural, commercial, and industrial properties and of multifamily residential properties with five or more dwelling units can obtain low-cost, long-term financing for qualifying improvements, including energy efficiency, water conservation, renewable energy, and resiliency projects.</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
113 ESHB 2342	Jun. 11, 2020, except § 2 which becomes effective Jul. 1, 2025	Aligning the Timing of Comprehensive Plan Updates Required by the Growth Management Act with the Timing of Shoreline Master Program Updates Required by the Shoreline Management Act	Amends the due date for comprehensive plan updates in RCW 36.70A.130 to match the dates in RCW 90.58.080.
214 ESSB 6574	Jun. 11, 2020	Clarifying the Respective Administrative Powers, Duties, and Responsibilities of the Growth Management Hearings Board and the Environmental Land Use and Hearings Office	<p>Numerous amendments to RCW 36.70A.250, including the creation within the environmental and land use hearings office a growth management hearings board that consists of five members, two less than is currently on the board. § 1.</p> <p>The chair of the growth management hearings board shall continue to exercise duties and responsibilities pursuant to RCW 36.70A.270(11). The environmental and land use hearings office shall be responsible for all other administrative functions pertaining to the growth management hearings board. § 2.</p> <p>Allows the growth management hearings board to move its principal office outside of Olympia and authorizes the board to hold hearings anywhere in the state. § 4.</p>

LAW ENFORCEMENT (See also [Animal Welfare](#), [Civil Commitment and Forensic Mental Health](#), [Correction Officers](#), [Courts, Evidence and Nomenclature](#), [COVID 19 and Communicable Diseases](#), [Domestic Violence](#), [Driver Licenses](#), [Facial Recognition](#), [Firearms](#), [Immigrants and Non-Citizens](#), [Impaired Driving](#), [Juveniles](#), and [Sex Offenses](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
<p>14 HB 1750</p>	<p>Jun. 11, 2020</p>	<p>Filling Vacancies in County Sheriff Offices</p>	<p>Amends both RCW 41.14.060 and 41.14.130 to expand the candidates that the sheriff may choose from when filling a vacancy from the three persons highest on the eligible list to five persons highest on the eligible list.</p>
<p>26 ESHB 2318</p>	<p>Jun. 11, 2020, except § 3 which becomes effective Jun. 30, 2020</p>	<p>Advancing Criminal Investigatory Practices</p>	<p>RCW 5.70.010 is expanded to require retention of “related investigatory reports and records” along with any DNA work product.</p> <p>Moves definitions from RCW 5.70.010 and places them in a separate section.</p> <p>New section 3 requires unreported sexual assault kit collected prior to the effective date of this section to be transported to the applicable local law enforcement agency.</p> <p>RCW 70.125.090 allows an agency to not include forensic toxicological analysis when submitting a sexual assault kit for laboratory analysis.</p> <p>Adds specific collection provisions to RCW 43.43.754:</p> <p style="padding-left: 40px;">For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who will not serve a term of confinement, the court shall (order): <u>Order</u> the person to report to the local police department or sheriff’s office as provided under subsection (5)(b)(i) of this section within a reasonable period of time established by the court in order to provide a biological sample; <u>or if the local police department or sheriff’s office has a protocol for collecting the biological sample in the courtroom, order the person to immediately provide the biological sample to the local</u></p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p><u>police department or sheriff's office before leaving the presence of the court.</u> The court must further inform the person that refusal to provide a biological sample is a gross misdemeanor under this section.</p> <p>Section 9 of the bill “provides flexibility for local governments to designate an alternate entity to store found property in order to allow those agencies with capacity issues to prioritize storage space for evidence and potential evidence in criminal investigations.” Parallel amendments are made to RCW 63.21.010, .020, .030, .050, and .060. Certain found property, however, require special handling – “bank card; charge or credit card; cash; government issued document, financial document, or legal document; firearm; evidence in a judicial or other official proceeding; or an item that is not legal for the finder to possess.” §§15-17</p>
<p>44 SHB 2785</p>	<p>Jun. 11, 2020</p>	<p>Membership of the Criminal Justice Training Commission</p>	<p>Increases the membership of the criminal justice training commission from 14 to 16. The number of private citizens on the committee is increased from 1 to 2, with one coming from the westside of the state and one from the eastside of the state. “At least one of the private citizens must be from a historically underrepresented community or communities.” The other new member must be from a federally recognized tribe with an active certification agreement under RCW 43.101.157.</p>
<p>45 EHB 2792</p>	<p>Jun. 11, 2020</p>	<p>Missing and Unidentified Persons</p>	<p>Requires the sheriff, chief of police, county coroner or county medical examiner, or other law enforcement authority initiating and conducting the investigation for the missing person to enter the case into the national crime information center system through the Washington state patrol electronic database.</p> <p>Requires the county coroner or medical examiner to submit certain information regarding unidentified bodies or human remains to the national missing and unidentified persons system created by the United States department of justice’s national institute of</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>justice. “Information submitted to the national missing and unidentified persons system must include, to the extent information is available, a detailed personal description, DNA information, copies of fingerprints on standardized eight inch by eight inch fingerprint cards or the equivalent digital image, forensic dental examination records, and other identifying data, including date and place of death. If the identity of the body or human remains is later established, the county coroner or county medical examiner must notify the national missing and unidentified persons system within forty-eight hours.”</p> <p>WASPC is assigned the duty of regularly transmitting information contained within the statewide missing persons web site to the national missing and unidentified persons system.</p>
<p>60 SSB 6074</p>	<p>Jun. 11, 2020</p>	<p>Reauthorizing and Expanding the Financial Fraud and Identity Theft Crimes Investigation and Prosecution Program</p>	<p>Extends the financial fraud and identity theft crimes investigation and prosecution program that was created in the department of commerce until July 1, 2030.</p>
<p>327 SSB 6570</p>	<p>Jun. 11, 2020</p>	<p>Law Enforcement Officer Mental Health and Wellness</p>	<p>Requires the Department of Health to convene a task force on law enforcement officer mental health and wellness to create a suicide prevention plan and provide resources for suicide prevention.</p>

MARIJUANA

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
154 SSB 6206	Jun. 11, 2020	Creating a Certificate of Compliance for Marijuana Business Premises That Meet the Statutory Qualifications at the Time of Application	Amends RCW 69.50.331 that provides a certificate of compliance to a licensee for premises that meet the requirement regarding distance from the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older on the date of the application. The certificate allows the licensee to operate the business at the proposed location notwithstanding a later occurring, otherwise disqualifying factor.
236 ESSHB 2870	Jun. 11, 2020	Allowing Additional Marijuana Retail Licenses for Social Equity Purposes	Allows for the reissuance of suspended or revoked licenses and of marijuana retailer licenses that were not previously issued to a “social equity applicant,” which includes an applicant who resided for at least five of the last 10 years in an area that was disproportionately impacted by drug laws or has either been convicted or had a family member convicted of a marijuana offense.

MISCELLANEOUS CIVIL (See also [Courts, Evidence, and Nomenclature](#) and [Law Enforcement](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
69 SB 6326	Jun. 11, 2020	Municipal Conflicts of Interest	Increases dollar amounts and student provisions in RCW 42.23.030, a provision of the Code of Ethics for Municipal Officers chapter that applies to counties and county officers and assistants.

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
332 ESSHB 1783	Jun. 11, 2020 —Except for § 3, which becomes effective July 1, 2020	Creating the Washington State Office of Equity	<p>Adds a new chapter to Title 43 RCW that creates the Washington State Office of Equity. The Office is to “serve as the state's subject matter expert on diversity, equity, and inclusion to state agencies and will provide technical assistance and support to agencies while each agency implements its individual equity plan.”</p> <p>The work of the Office is to be guided by the following principles:</p> <ul style="list-style-type: none"> (i) Equity requires developing, strengthening, and supporting policies and procedures that distribute and prioritize resources to those who have been historically and currently marginalized, including tribes; (ii) Equity requires the elimination of systemic barriers that have been deeply entrenched in systems of inequality and oppression; and (iii) Equity achieves procedural and outcome fairness, promoting dignity, honor, and respect for all people; <p>§ 3.</p> <p>“Nothing in this act creates any right or cause of action, nor may it be relied upon to compel the establishment of any program or special entitlement.” § 9.</p>

MISCELLANEOUS CRIMINAL (See also [Courts, Evidence, and Nomenclature](#), [COVID 19 and Communicable Diseases](#), and [Elections](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
34 SHB 2527	Mar. 18, 2020	Protecting the Rights of Washingtonians During the United States Census	New crime is added to chapter 9A.60: (1) A person is guilty of impersonating a census taker if the person falsely represents that he or she is a census taker with the intent to: (a) Interfere with the operation of the census; (b) Obtain information; or (c) Obtain consent to enter a private dwelling. (2) Impersonating a census taker is a gross misdemeanor.
157 SB 6286	Jun. 11, 2020	Benefits Provided by Athlete Agents	Amends RCW 19.225.100 to prohibit an athlete agent from providing the student athlete and/or his or her parent or guardian materially false or misleading information or make materially false statements to influence their entry into an agency contract, the furnishing of anything of value when to do so may result in loss of the athlete's eligibility to participate in the sport, the failure to notify the athlete and his or her parent or guardian of the impact the signing of an agency contract may have on the athlete's eligibility to participate in the athlete's sport. Also prohibits the agent to encourage someone else to perform any of the prohibited actions on behalf of the agent. Violations of RCW 19.225.100 are class C felonies. <i>See</i> RCW 19.225.110.
171 HB 2217	Jun. 11, 2020	Cottage Food Product Labeling Requirements	Amends RCW 69.22.020 to require that the permit number issued under RCW 69.22.030 appear on the label of any food packaged by a cottage food operation. A first violation of this provision is a misdemeanor and the second or subsequent within a five year period is a gross misdemeanor. RCW 69.22.090.

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
344 SHB 2632	Jun. 11, 2020	False Reporting of a Crime or Emergency	<p>Amends RCW 9A.84.040 to create three degrees of false reporting. First degree false reporting, a seriousness level VII class B felony, requires that the report be made with reckless disregard for the safety of others, the false report caused an emergency response, and death is sustained by any person as a proximate result of an emergency response. Second degree, a seriousness level III class C felony, requires that the report be made with reckless disregard for the safety of others, the false report caused an emergency response, and substantial bodily harm is sustained by any person as a proximate result of an emergency response. Third degree false reporting is a gross misdemeanor and applies to all other false reports.</p> <p>False reporting is committed at the place where the false report was made and/or at the place where the false report was received by law enforcement and/or at the place where an evacuation, public inconvenience or alarm, or emergency response occurred.</p> <p>A first violation of the false reporting statute by a person under the age of 18 may be diverted.</p> <p>Adds a new provision to chapter 4.24 RCW that creates a civil cause of action for a victim of false reporting and further provides that “Any person convicted of violating RCW 9A.84.040 and that resulted in an emergency response may be liable to a public agency for the reasonable costs of the emergency response by, and at the discretion of, the public agency that incurred the costs.”</p>

MOTOR VEHICLE LICENSES

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
93 ESB 6032	Jul. 1, 2020	Creating a Washington Apples Special License Plate	Adds another special license plate– one that “Displays the Washington apple logo that recognizes the state's apple industry, the growers and shippers who produce and pack the world famous apples, and the tree fruit community.
118 HB 2491	Jun. 11, 2020	Authorizing the Governor to Enter into Compacts with Federally Recognized Indian Tribes Principally Located Within Washington State for the Issuance of Tribal License Plates and Vehicle Registration	Allows the governor to enter into compacts with individual federally recognized tribes. Under the compact, the tribe designs a license plate that will be available for cars owned by the tribal government and tribal members. Washington DOL would issue the plates for the tribe.
129 HB 2669	Oct. 1, 2020	Certain Sports-related Special License Plates	Creates another specialty license plate. This one is for supporters of Seattle NHL hockey.

PUBLIC RECORDS ACT (See also [Data Breaches](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
106 SSHB 1888	Jun. 11, 2020	Protecting Employee Information from Public Disclosure	Expands the PRA exemptions in RCW 42.56.250 to include <ul style="list-style-type: none"> • payroll deductions including the amount and identification of the deduction • photographs and month and year of birth in the personnel files of employees or volunteers of a public agency • “Voluntarily submitted information collected and maintained by a state agency

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
			<p>or higher education institution that identifies an individual state employee's personal demographic details. "Personal demographic details" means race or ethnicity, sexual orientation as defined by RCW 49.60.040(26), immigration status, national origin, or status as a person with a disability. This exemption does not prevent the release of state employee demographic information in a deidentified or aggregate format."</p> <p>Adds a notification requirement related to certain PRA requests:</p> <p>"Upon receipt of a request for information located exclusively in an employee's personnel, payroll, supervisor, or training file, the agency must provide notice to the employee, to any union representing the employee, and to the requestor. The notice must state:</p> <p style="padding-left: 40px;">“(a) The date of the request;</p> <p style="padding-left: 40px;">“(b) The nature of the requested record relating to the employee;</p> <p style="padding-left: 40px;">“(c) That the agency will release any information in the record which is not exempt from the disclosure requirements of this chapter at least ten days from the date the notice is made; and</p> <p style="padding-left: 40px;">“(d) That the employee may seek to enjoin release of the records under RCW 42.56.540.”</p>
<p>240 SSSB 5601</p>	<p>Jun 11, 2020, except §§ 1-19 which become effective on Jan. 1, 2022</p>	<p>Health Care Benefit Managers</p>	<p>Expands RCW 42.56.400's exemptions Public Records Act exemptions related to insurance and financial institutions to contracts with health care benefit managers.</p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
243 SSB 6048	Jun. 11, 2020	Group-wide Supervision of Internationally Active Insurance Groups	Amends RCW 42.56.400's Public Records Act exemptions related to insurance and financial institutions to documents, materials or information submitted to the office of the insurance commissioner related to internationally active insurance groups.
323 SSB 6499	Jun. 11, 2020	Protecting the Confidentiality of Retirement System Files and Records Relating to Health Information	Section 2 adds a new exemption to RCW 42.56.360 of the Public Records Act: <p>(1) Medical information contained in files and records of members of retirement plans administered by the department of retirement systems or the law enforcement officers' and firefighters' plan 2 retirement board, as provided to the department of retirement systems under section 1 of this act.</p>
335 ESHB 2327	Jun. 11, 2020	Addressing Sexual Misconduct at Postsecondary Educational Institutions	Restricts entry of nondisclosure agreements between an employee and institution with respect to findings of sexual misconduct that is supported by a preponderance of the evidence. §§ 1 and 4. <p>Adds a new section to the PRA that allows a victim of or a witness to sexual misconduct committed at a postsecondary educational institution by an employee of that institution to have his or her personal identifying information withheld.</p>

SEX OFFENSES AND PELVIC EXAMS (See also [COVID 19 and Communicable Diseases](#), [Juveniles](#), [Law Enforcement](#), and [Public Records Act](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
<p>187 ESB 5282</p>	<p>Jun. 11, 2020</p>	<p>Informed Consent for Pelvic Exams</p>	<p>Adds a new section to chapter 18.130 RCW that prohibits a health care provider who is licensed under title 18 from knowingly performing a pelvic examination on a patient who is anesthetized or unconscious unless:</p> <ul style="list-style-type: none"> (a) The patient or a person authorized to make health care decisions for the patient gave specific informed consent to the examination; (b) The examination is necessary for diagnostic or treatment purposes; or (c) Sexual assault is suspected, evidence may be collected if the patient is not capable of informed consent due to longer term medical condition, or if evidence will be lost. <p><i>Editor's note: A search warrant should be obtained before an examination is performed pursuant to (c). A search warrant for a pelvic examination must reveal a clear indication that the sought evidence will be found. See, e.g., People v. Thompson, 820 P.2d 1160, 1163 (Colo. App. 1991). In addition, the court must consider whether the pelvic examination will present a risk to the woman's life or health and must weigh the "individual's dignitary interests in personal privacy and bodily integrity" against the "community's interest in fairly and accurately determining guilt or innocence" in light of the other means of proof of guilt that may be available. Winston v. Lee, 470 U.S. 753, 84 L. Ed. 2d 662, 105 S. Ct. 1611 (1985). Finally, the bodily intrusion must be performed by a properly trained medical personnel in a proper setting. Schmerber v. California, 384 U.S. 757, 771(1966). The search warrant must identify the non-police persons that will help in executing the search warrant.</i></p>

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
202 SSB 6158	Jun. 11, 2020	Model Sexual Assault Protocols for Hospitals and Clinics	Creates the “sexual assault coordinated community response task force” within the office of the attorney general. The purpose of the task force is to develop model protocols ensuring that adult or minor sexual assault victims receive a coordinated community response when presenting for care at any hospital or clinic following a sexual assault. The task force shall submit a report to the legislature on December 1, 2020, 2021 and 2022, before sunseting on December 31, 2022.
266 ESSB 6641	Jun. 11, 2020	Increasing the Availability of Certified Sex Offender Treatment Providers	<p>Expands the type of professionals who may be certified as a sex offender treatment provider or as an affiliate sex offender treatment provider. Allows individuals who have not completed all of the required hours to perform evaluations and provide treatment under the supervision of a qualified supervisor.</p> <p>Directs the Secretary of Health to establish standards and procedures for certifying professional as sex offender treatment providers or as an affiliate sex offender treatment provider that recognizes out of state certifications and/or credit for experience obtained through work in a state-run facility or state-run treatment program.</p> <p>Creates the sex offender treatment providers advisory committee to advise the Secretary of Health regarding the certification program.</p>
331 ETSHB 1775	Jun. 11, 2020 —Except for §§ 4, 5, and 6, which become effective Jan. 1, 2024.	Commercially Sexually Exploited Children	Subject to available funds creates two receiving center programs for commercially sexually exploited children. A receiving center is a “trauma-informed, secure location that meets the multidisciplinary needs of commercially sexually exploited children ages twelve through seventeen located in a behavioral health agency licensed or certified under RCW 71.24.037 to provide inpatient or residential treatment services” and short-term evaluations. § 2. Referrals to receiving centers may be made by law enforcement, the Department of Children, Youth, and Families, juvenile courts, community service providers, and parents or guardians. A child may

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			<p>also self-refer. § 3.</p> <p>Reduces the reach of RCW 9A.88.303, the prostitution statute, to persons age eighteen or older. § 4.</p> <p>Requires an officer who takes a juvenile into custody because the “officer reasonably believes, considering the child's age, the location, and the time of day, that a child is in circumstances which constitute a danger to the child's safety or that a child is violating a local curfew ordinance” and the officer reasonably believes that the juvenile may be the victim of sexual exploitation, the officer must transport the child to specific locations that can provide appropriate assistance.</p> <p>Law enforcement are also granted “the authority to take into protective custody a child who is or is attempting to engage in sexual conduct with another person for money or anything of value for purposes of investigating the individual or individuals who may be exploiting the child and deliver the child to an evaluation and treatment facility as defined in RCW 71.34.020, including the receiving centers established in section 2 of this act, for purposes of evaluation for behavioral health treatment authorized under chapter 71.34 RCW, including adolescent-initiated treatment, family initiated treatment, or involuntary treatment.” § 8 (amending RCW 43.185C.260).</p> <p>Subject to available funds, the Department of Children, Youth, and Families is required to provide services to support children it suspects have been commercially sexually exploited. The child may decide whether to voluntarily engage in the services offered. § 9 (amending RCW 74.14B.070).</p> <p>Requires the statewide coordinating committee to convene a meeting related to the role that child advocacy centers have in responding to and supporting commercially sexually exploited children. § 11 (adding new section to chapter 7.68 RCW).</p>

TRAFFIC AND MOTOR VEHICLES (See also [Driver Licenses](#), [Impaired Driving](#), and [Motor Vehicle Licenses](#))

Chapter Number/ Bill Number	Effective Date	Bill Title	What the New Law Does
66 SSB 6208	Oct. 1, 2020	Increasing Mobility Through the Modification of Stop Sign Requirements for Bicyclists	<p>Alters the rules for bicyclists at stop signs:</p> <p>(b)(i) With the exception of (b)(ii) and (iii) of this subsection, a person operating a bicycle approaching a stop sign shall either:</p> <p>(A) Follow the requirements for approaching a stop sign as specified in (a) of this subsection; or</p> <p>(B) Follow the requirements for approaching a yield sign as specified in subsection (3) of this section.</p> <p>(ii) A person operating a bicycle approaching a stop sign located at a highway grade crossing of a railroad must follow the requirements of RCW 46.61.345.</p> <p>(iii) A person operating a bicycle approaching a "stop" signal in use by a school bus, as required under RCW 46.37.190, must follow the requirements of RCW 46.61.370.</p> <p>§ 2, amending RCW 46.61.190. Violations of this provision are infractions.</p>
95 SB 6102	Jun. 11, 2020	Stop Signal Warning Devices on School Buses	Amends RCW 46.37.190(2) to reduce the size of the word "stop" on school buses from 8 inches high to five and nine-tenths inches high
110 HB 2242	Jun. 11, 2020	Travel Trailers	Exempts travel trailers with an overall length of less than 46 feet from RCW 46.44.030.
146 SB 6045	Jun. 11, 2020	Vulnerable Users of a Public Way	Expands the definition of "vulnerable user of a public way" in the negligent driving in the second degree statute, RCW 46.61.526, to a person riding in or on (A) A farm tractor or implement of husbandry, without an enclosed shell; (B) A bicycle; (C) An electric-assisted bicycle; (D) An electric personal assistive mobility device; (E) A moped; (F) A

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			motor-driven cycle; (G) A motorized foot scooter; or (H) A motorcycle.
163 SB 6565	Jun. 11, 2020	Establishing Permissible Methods of Parking a Motorcycle	Adds a subsection to RCW 46.61.575 that permits a motorcycle to be parked parallel or at an angle to the curb or shoulder, so long as the motorcycle does not extend into the roadway.
199 SSB 6084	Jun. 11, 2020	Circular Intersections	<p>Adds a definition of “circular intersection” to chapter 46.04 RCW. § 1.</p> <p>Amends RCW 46.61.140 to allow the operator of a commercial motor vehicle to, with due regard for all other traffic, deviate from the lane in which the operator is driving to the extent necessary to approach and drive through a circular intersection. § 2.</p>
224 ESHB 1793	Jun. 11, 2020	Establishing Additional Uses for Automated Traffic Safety Cameras for Traffic Congestion Reduction and Increased Safety	<p>Creates a pilot program that authorizes an automatic traffic safety camera to include “a device used to detect stopping at intersection or crosswalk violations; stopping when traffic obstructed violations; public transportation only lane violations; and stopping or traveling in restricted lane violations. Any images captured under the pilot project may not be subjected to facial recognition and may not be used for any purpose other than a proceeding related to a violation under RCW 46.63.170.</p> <p>Expands the prohibition upon using information gathered by automatic traffic safety cameras outside of the pilot project “any other personally identifying data.” § 1 (amending RCW 46.63.170.</p>