

SENATE BILL REPORT

SB 5048

As Reported By Senate Committee On:
Human Services & Corrections, January 28, 1999

Title: An act relating to technical corrections to chapters 10.77 and 71.05 RCW.

Brief Description: Making technical corrections to chapters 10.77 and 71.05 RCW.

Sponsors: Senators Long and Hargrove.

Brief History:

Committee Activity: Human Services & Corrections: 1/14/99, 1/28/99 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5048 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, McCaslin, Patterson, Stevens and Zarelli.

Staff: Fara Daun (786-7459)

Background: The implementation of mentally ill offender legislation enacted in 1998 has revealed the need for several technical and clarifying amendments.

Summary of Substitute Bill: Several cross-references are corrected, grammatical corrections are made, past effective date and chapter law references are clarified by amending the sections to the actual calendar date that the provisions took effect, and the words "expert or" are stricken from the phrase "expert or professional person" in a definition section. Striking the words "expert or" clarifies actual usage and removes confusion related to other uses of the term "expert."

In addition, the definition of professional person is corrected to clarify that a professional person may be certified by either the American Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry.

The procedural issue that for a court to give "great weight" to a matter it must do so based on the evidence before the court is also clarified. The existing language may have been ambiguous.

Only amendments intended as technical and clarifying changes are made. None of the amendments are intended to have substantive effect.

Substitute Bill Compared to Original Bill: The definition of professional person is clarified.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Testified: No one.