

HOUSE BILL REPORT

HB 2746

As Reported by House Committee On:
Criminal Justice & Corrections

Title: An act relating to endangerment with a controlled substance.

Brief Description: Increasing the seriousness level for endangerment with a controlled substance.

Sponsors: Representatives Miloscia, O'Brien, Ericks and Simpson.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 1/24/06, 2/2/06 [DP].

Brief Summary of Bill

- Increases the penalty for the crime of endangerment with a controlled substance from a seriousness level IV to a seriousness level VI, class B felony offense.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 6 members: Representatives O'Brien, Chair; Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kirby, Strow and Williams.

Minority Report: Do not pass. Signed by 1 member: Representative Darneille, Vice Chair.

Staff: Yvonne Walker (786-7841).

Background:

The offense of endangerment with a controlled substance occurs when a person knowingly or intentionally permits a dependent child or dependent adult to be exposed to, ingest, inhale, or have contact with:

- methamphetamine; or
- ephedrine, pseudoephedrine, or anhydrous ammonia, including their salts, isomers, and salts of isomers that are being used in the manufacture of methamphetamine.

Endangerment with a controlled substance is a seriousness level IV, class B felony. A person with no prior criminal history would receive a presumptive sentence range of three to nine months in jail.

Summary of Bill:

The penalty for the offense of endangerment with a controlled substance is increased to a seriousness level VI, class B felony offense. A person with no prior criminal history would receive a presumptive sentence range of 12 to 14 months in prison.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: There have been so many stories about children that have been picked up by law enforcement from houses that were meth labs. Currently this crime has the same penalty as the theft of livestock. This crime is a form of child abuse and the penalties should be increased to the same penalties as incest and rape of a child.

Testimony Against: None.

Persons Testifying: Representative Miloscia, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.