

1 **E2SSB 5451** - H AMDS TO H AMD (5451-S2.E AMH H2591.2)
2 By Representative H. Myers and others

3 On page 20, line 37 after "placement" strike everything
4 through "sentence" on page 21, line 7 and insert "((beginning
5 either upon completion of the term of confinement or at such time
6 as the offender is transferred to community custody in lieu of
7 earned early release in accordance with RCW 9.94A.150 (1) and (2).
8 When the court sentences an offender under this subsection to the
9 statutory maximum period of confinement then the community
10 placement portion of the sentence shall consist entirely of such
11 community custody to which the offender may become eligible, in
12 accordance with RCW 9.94A.150 (1) and (2). Any period of community
13 custody actually served shall be credited against the community
14 placement portion of the sentence))"

15 On page 21, line 14 after "longer." insert the following:

16 "(c) When a court sentences a person to a term of total
17 confinement to the custody of the department of corrections for
18 vehicular homicide or vehicular assault committed after June 30,
19 1993, and the person has been found pursuant to RCW 46.61.524 to
20 have an alcohol or drug problem, the court shall in addition to
21 other terms of the sentence, sentence the offender to community
22 placement for one year or up to the period of earned early release
23 awarded pursuant to RCW 9.94A.150 (1) and (2), whichever is longer.
24 In ordering community placement under this subsection (8)(c), the
25 court shall waive all conditions of community placement except the
26 following:

27 (i) The offender shall abstain from alcohol and nonprescribed
28 controlled substances;

29 (ii) The offender shall complete any treatment program and
30 comply with any other requirement under RCW 46.61.524;

1 (iii) The offender shall comply with any legal financial
2 obligations imposed by the court;

3 (iv) The offender shall pay supervision fees as determined by
4 the department of corrections; and

5 (v) The offender shall report to and be available for contact
6 with the assigned community corrections officer as directed.

7 (d)"

8 Reletter the remaining subsections accordingly

9 On page 21, line 14 after "placement" insert "under this
10 subsection (8)"

11 On page 21, line 18 after "subsection" insert "(8)"

12 On page 46, line 14 after "degree," insert "vehicular
13 homicide, vehicular assault,"

EFFECT: Adds the provisions of HB 1155, which requires imposition of community placement for offenders who are convicted of vehicular homicide or assault and who have been found to have an alcohol or drug problem.