

2 **E2SSB 6293** - H AMD TO H AMD (H-5496.1/98) **1141 WITHDRAWN 3-05-98**
3 By Representative

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5 On page 5, line 37 of the amendment, after "(4)" insert "Any
6 minimum nonsuspendable and nondeferrable jail sentence required by this
7 section shall be doubled for any offender convicted of a violation of
8 RCW 46.61.502 or 46.61.504 who committed the offense with a person
9 under the age of sixteen in the motor vehicle.

10 (5)"

11 Renumber the remaining subsections consecutively and correct any
12 internal references accordingly.

13 On page 7, after line 34 of the amendment, insert the following:

14 "NEW SECTION. **Sec. 2.** A new section is added to chapter 46.61 RCW
15 to read as follows:

16 (1) Immediately before the court orders a sentence, or deferred
17 prosecution under RCW 10.05.120, for any offense listed in subsection
18 (2) of this section, the court and prosecutor shall verify the
19 defendant's criminal history and driving record. The order shall
20 include specific findings as to the criminal history and driving
21 record. For purposes of this section, the criminal history shall
22 include all previous convictions and orders of deferred prosecution, as
23 reported through the judicial information system or otherwise available
24 to the court or prosecutor, current to within the periods specified in
25 subsection (3) of this section before the date of the order. For
26 purposes of this section, the driving record shall include all
27 information reported to the court by the department of licensing.

28 (2) The offenses to which this section applies are violations of
29 (a) RCW 46.61.502 or an equivalent local ordinance; (b) RCW 46.61.504
30 or an equivalent local ordinance; (c) RCW 46.61.520 committed while
31 under the influence of intoxicating liquor or any drug; (d) RCW
32 46.61.522 committed while under the influence of intoxicating liquor or
33 any drug; and (e) RCW 46.61.5249 or 9A.36.050, or an equivalent local
34 ordinance, if the conviction is the result of a charge that was

1 originally filed as a violation of RCW 46.61.502 or 46.61.504, or an
2 equivalent local ordinance, or of RCW 46.61.520 or 46.61.522.

3 (3) The periods applicable to previous convictions and orders of
4 deferred prosecution are: (a) One working day, in the case of previous
5 actions of courts that fully participate in the state judicial
6 information system; and (b) seven calendar days, in the case of
7 previous actions of courts that do not fully participate in the
8 judicial information system. For purposes of this subsection, "fully
9 participate" means regularly providing records to and receiving records
10 from the system by electronic means on a daily basis."

11 Renumber the sections consecutively and correct the title and any
12 internal references accordingly.

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