

SENATE BILL REPORT

SB 6350

As Reported By Senate Committee On:
Law & Justice, February 4, 1998

Title: An act relating to delivery of a controlled substance to a pregnant woman.

Brief Description: Making delivery of a controlled substance to a pregnant woman an aggravating circumstance.

Sponsors: Senators Patterson, Roach, Kline, Long, Franklin, Anderson, Brown, Stevens, Kohl, Oke, Winsley, Swecker, Goings and Spanel.

Brief History:

Committee Activity: Law & Justice: 2/3/98, 2/4/98 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Kline, Long, McCaslin, Stevens, Thibaudeau and Zarelli.

Staff: David Johnson (786-7754)

Background: A number of women who are addicted to drugs continue to abuse drugs if they become pregnant. Often, as a result, a child is born who is addicted to the drug used by the mother. The child may also have other complications caused by the mother's drug use during pregnancy.

It is felt that those who sell illegal drugs, knowing the purchaser is pregnant, ought to be held accountable for the increased damage done by their actions. This may deter the sale of drugs to pregnant women more than the current law does.

Generally, a judge must sentence a felon within the standard range of penalty established by the Legislature in the Sentencing Reform Act (SRA). A judge may exceed or go below the standard range if there are substantial and compelling reasons to do so. An illustrative list of possible reasons has been codified in the SRA. A sentence outside the standard range gives the parties a right to appeal that sentence.

Summary of Bill: Delivering a controlled substance to a woman, knowing that she is pregnant, is added to the illustrative list of aggravating factors set forth in the SRA and to the reciprocal juvenile code provisions.

Appropriation: None.

Fiscal Note: Requested on January 30, 1998.

Effective Date: The bill takes effect on July 1, 1998.

Testimony For: Drug affected babies are a great problem. This bill will deter those who would sell pregnant women drugs. It should provide savings in the long-term care costs of these children.

Testimony Against: None.

Testified: Senator Roach, sponsor.