

1124-S

Sponsor(s): House Committee on Judiciary (originally sponsored by Representatives Constantine, Sheahan, Ballasiotes, Lantz, McDonald, Lambert, Stensen, Hurst and Esser)

Brief Title: Correcting DUI penalty provisions.

HB 1124-S - DIGEST

(DIGEST AS ENACTED)

Provides that a court may waive the electronic home monitoring requirements of chapter 46.61 RCW when: (1) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system;

(2) the offender does not reside in the state of Washington;
or

(3) the court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Requires that, whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences.

Declares that the alternative sentence may include, but is not limited to, additional jail time, work crew, or work camp.

Provides that, whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-five days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-five days.