
SENATE BILL 5956

State of Washington 57th Legislature 2001 Regular Session

By Senators Constantine, Kline, Kohl-Welles, Fairley and Thibaudeau

Read first time 02/09/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to first-time offender status under the sentencing
2 reform act; and amending RCW 9.94A.650.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 9.94A.650 and 2000 c 28 s 18 are each amended to read
5 as follows:

6 (1) This section applies to offenders who have never been
7 previously convicted of a felony in this state, federal court, or
8 another state, and who have never participated in a program of deferred
9 prosecution for a felony, and who are convicted of a felony that is
10 not:

11 (a) Classified as a violent offense or a sex offense under this
12 chapter; or

13 (b) ~~((Manufacture, delivery, or possession with intent to
14 manufacture or deliver a controlled substance classified in Schedule I
15 or II that is a narcotic drug or flunitrazepam classified in Schedule
16 IV;~~

17 ~~(c))~~ Manufacture, delivery, or possession with intent to deliver
18 a methamphetamine, its salts, isomers, and salts of its isomers as
19 defined in RCW 69.50.206(d)(2)~~((; or~~

1 ~~(d) The selling for profit of any controlled substance or~~
2 ~~counterfeit substance classified in Schedule I, RCW 69.50.204, except~~
3 ~~leaves and flowering tops of marihuana)).~~

4 (2) In sentencing a first-time offender the court may waive the
5 imposition of a sentence within the standard sentence range and impose
6 a sentence which may include up to ninety days of confinement in a
7 facility operated or utilized under contract by the county and a
8 requirement that the offender refrain from committing new offenses.
9 The sentence may also include a term of community supervision or
10 community custody as specified in subsection (3) of this section,
11 which, in addition to crime-related prohibitions, may include
12 requirements that the offender perform any one or more of the
13 following:

14 (a) Devote time to a specific employment or occupation;

15 (b) Undergo available outpatient treatment for up to the period
16 specified in subsection (3) of this section, or inpatient treatment not
17 to exceed the standard range of confinement for that offense;

18 (c) Pursue a prescribed, secular course of study or vocational
19 training;

20 (d) Remain within prescribed geographical boundaries and notify the
21 community corrections officer prior to any change in the offender's
22 address or employment;

23 (e) Report as directed to a community corrections officer; or

24 (f) Pay all court-ordered legal financial obligations as provided
25 in RCW 9.94A.030 and/or perform community service work.

26 (3) The terms and statuses applicable to sentences under subsection
27 (2) of this section are:

28 (a) For sentences imposed on or after July 25, 1999, for crimes
29 committed before July 1, 2000, up to one year of community supervision.
30 If treatment is ordered, the period of community supervision may
31 include up to the period of treatment, but shall not exceed two years;
32 and

33 (b) For crimes committed on or after July 1, 2000, up to one year
34 of community custody unless treatment is ordered, in which case the
35 period of community custody may include up to the period of treatment,
36 but shall not exceed two years. Any term of community custody imposed
37 under this section is subject to conditions and sanctions as authorized
38 in this section and in RCW 9.94A.715 (2) and (3).

1 (4) The department shall discharge from community supervision any
2 offender sentenced under this section before July 25, 1999, who has
3 served at least one year of community supervision and has completed any
4 treatment ordered by the court.

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