

# SENATE BILL REPORT

## SB 5368

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As of January 28, 2003

**Title:** An act relating to making endangerment with a controlled substance a most serious offense.

**Brief Description:** Making endangerment with a controlled substance a most serious offense.

**Sponsors:** Senator Sheahan.

**Brief History:**

**Committee Activity:** Judiciary: 2/5/03.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Aldo Melchiori (786-7439)

**Background:** The crime of endangerment with a controlled substance was created in 2002. It is committed when a person knowingly or intentionally permits a dependent child or dependent adult to be exposed to, ingest, inhale, or have contact with methamphetamine or ephedrine, pseudoephedrine, or anhydrous ammonia that is being used for the manufacture of methamphetamine. It is a class B felony ranked at level IV on the sentencing grid (three to nine months for a first offense).

"Persistent offender" was defined in 1993, by Initiative Measure No. 593, as an offender currently convicted of a "most serious offense" and who also has a criminal history that includes at least two previous most serious offense convictions. "Most serious" offenses are specifically enumerated. Persistent offenders are sentenced to life in prison without the possibility of release. This is commonly called the "Three Strikes" law.

**Summary of Bill:** Endangerment with a controlled substance is made a "most serious offense" and counts as a "strike" for sentencing purposes.

**Appropriation:** None.

**Fiscal Note:** Requested on January 28, 2003.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.