

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1257**

61st Legislature  
2009 Regular Session

Passed by the House February 27, 2009  
Yeas 94 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate April 7, 2009  
Yeas 47 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1257** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1257

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Passed Legislature - 2009 Regular Session

State of Washington                      61st Legislature                      2009 Regular Session

By Representatives Goodman, Rodne, O'Brien, Simpson, and Moeller

Read first time 01/16/09. Referred to Committee on Judiciary.

1            AN ACT Relating to deferred prosecution files; and amending RCW  
2 10.05.060.

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

4            **Sec. 1.** RCW 10.05.060 and 1994 c 275 s 17 are each amended to read  
5 as follows:

6            If the report recommends treatment, the court shall examine the  
7 treatment plan. If it approves the plan and the petitioner agrees to  
8 comply with its terms and conditions and agrees to pay the cost  
9 thereof, if able to do so, or arrange for the treatment, an entry shall  
10 be made upon the person's court docket showing that the person has been  
11 accepted for deferred prosecution. A copy of the treatment plan shall  
12 be (~~attached to the docket, which shall then be removed from the~~  
13 ~~regular court dockets and filed in a special court deferred prosecution~~  
14 ~~file~~) filed with the court. If the charge be one that an abstract of  
15 the docket showing the charge, the date of the violation for which the  
16 charge was made, and the date of petitioner's acceptance is required to  
17 be sent to the department of licensing, an abstract shall be sent, and  
18 the department of licensing shall make an entry of the charge and of  
19 the petitioner's acceptance for deferred prosecution on the

1 department's driving record of the petitioner. The entry is not a  
2 conviction for purposes of Title 46 RCW. Upon receipt of the abstract  
3 of the docket, the department shall issue the petitioner a probationary  
4 license in accordance with RCW 46.20.355, and the petitioner's driver's  
5 license shall be on probationary status for five years from the date of  
6 the violation that gave rise to the charge. The department shall  
7 maintain the record for ten years from date of entry of the order  
8 granting deferred prosecution.

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