

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2131**

62nd Legislature  
2011 2nd Special Session

Passed by the House December 13, 2011  
Yeas 94 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate December 14, 2011  
Yeas 47 Nays 1

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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 **SUBSTITUTE HOUSE BILL 2131** 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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**SUBSTITUTE HOUSE BILL 2131**

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Passed Legislature - 2011 2nd Special Session

**State of Washington                      62nd Legislature                      2011 2nd Special Session**

**By** House Ways & Means (originally sponsored by Representatives Dickerson and Hunter; by request of Department of Social and Health Services)

READ FIRST TIME 12/13/11.

1            AN ACT Relating to delaying implementation of provisions regarding  
2 evaluations of persons under the involuntary treatment act; amending  
3 RCW 71.05.212; amending 2010 c 280 s 5 (uncodified); providing an  
4 effective date; providing an expiration date; and declaring an  
5 emergency.

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

7            **Sec. 1.** 2010 c 280 s 5 (uncodified) is amended to read as follows:  
8            Sections 2 and 3 of this act take effect ((January)) July 1,  
9            ((2012)) 2015.

10           **Sec. 2.** RCW 71.05.212 and 1999 c 214 s 5 are each amended to read  
11 as follows:

12           (1) Whenever a ((county)) designated mental health professional or  
13 professional person is conducting an evaluation under this chapter,  
14 consideration shall include all reasonably available information from  
15 credible witnesses and records regarding:

16           ((+1)) (a) Prior recommendations for evaluation of the need for  
17 civil commitments when the recommendation is made pursuant to an  
18 evaluation conducted under chapter 10.77 RCW;

1 ((+2)) (b) History of one or more violent acts;  
2 ((+3)) (c) Prior determinations of incompetency or insanity under  
3 chapter 10.77 RCW; and  
4 ((+4)) (d) Prior commitments under this chapter.

5 ((In addition,)) (2) Credible witnesses may include family members,  
6 landlords, neighbors, or others with significant contact and history of  
7 involvement with the person. If the designated mental health  
8 professional relies upon information from a credible witness in  
9 reaching his or her decision to detain the individual, then he or she  
10 must provide contact information for any such witness to the  
11 prosecutor. The designated mental health professional or prosecutor  
12 shall provide notice of the date, time, and location of the probable  
13 cause hearing to such a witness.

14 (3) When conducting an evaluation for offenders identified under  
15 RCW 72.09.370, the ((county)) designated mental health professional or  
16 professional person shall consider an offender's history of judicially  
17 required or administratively ordered antipsychotic medication while in  
18 confinement.

19 NEW SECTION. Sec. 3. Section 2 of this act expires July 1, 2015.

20 NEW SECTION. Sec. 4. This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and takes effect  
23 immediately, except for section 2 of this act which takes effect  
24 January 1, 2012.

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