
HOUSE BILL 1967

State of Washington

68th Legislature

2024 Regular Session

By Representatives Jacobsen, Couture, Graham, and Caldier

Prefiled 12/18/23. Read first time 01/08/24. Referred to Committee on Community Safety, Justice, & Reentry.

1 AN ACT Relating to excluding any person who is convicted of a hit
2 and run resulting in death from being eligible for a first-time
3 offender waiver; and amending RCW 9.94A.650.

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

5 **Sec. 1.** RCW 9.94A.650 and 2022 c 16 s 6 are each amended to read
6 as follows:

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

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

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

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

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 cannabis; (~~or~~)

4 (e) Felony driving while under the influence of intoxicating
5 liquor or any drug or felony physical control of a vehicle while
6 under the influence of intoxicating liquor or any drug; or

7 (f) Hit and run resulting in death under RCW 46.52.020(4)(a).

8 (2) In sentencing a first-time offender the court may waive the
9 imposition of a sentence within the standard sentence range and
10 impose a sentence which may include up to ninety days of confinement
11 in a facility operated or utilized under contract by the county and a
12 requirement that the offender refrain from committing new offenses.

13 (3) The court may impose up to six months of community custody
14 unless treatment is ordered, in which case the period of community
15 custody may include up to the period of treatment, but shall not
16 exceed one year.

17 (4) As a condition of community custody, in addition to any
18 conditions authorized in RCW 9.94A.703, the court may order the
19 offender to pay all court-ordered legal financial obligations and/or
20 perform community restitution work.

21 (5) For the purposes of this section, "cannabis" has the meaning
22 provided in RCW 69.50.101.

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