

---

**HOUSE BILL 1359**

---

**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Thai, Abbarno, Eslick, Goodman, and Davis

Read first time 01/17/25. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to reviewing laws related to criminal insanity  
2 and competency to stand trial; adding new sections to chapter 10.77  
3 RCW; creating a new section; recodifying RCW 10.77.020, 10.77.027,  
4 10.77.0942, 10.77.095, 10.77.097, 10.77.210, 10.77.230, 10.77.240,  
5 10.77.250, 10.77.255, 10.77.260, 10.77.270, 10.77.275, 10.77.280,  
6 10.77.300, 10.77.145, 10.77.163, 10.77.165, 10.77.205, 10.77.207,  
7 10.77.060, 10.77.065, 10.77.070, 10.77.100, 10.77.025, 10.77.030,  
8 10.77.040, 10.77.080, 10.77.091, 10.77.094, 10.77.110, 10.77.120,  
9 10.77.132, 10.77.140, 10.77.150, 10.77.152, 10.77.155, 10.77.160,  
10 10.77.170, 10.77.175, 10.77.180, 10.77.190, 10.77.195, 10.77.200,  
11 10.77.220, 10.77.050, 10.77.068, 10.77.072, 10.77.074, 10.77.075,  
12 10.77.079, 10.77.084, 10.77.0845, 10.77.086, 10.77.088, 10.77.0885,  
13 10.77.089, 10.77.092, 10.77.093, 10.77.202, and 10.77.320;  
14 decodifying RCW 10.77.2101, 10.77.290, 10.77.310, 10.77.940, and  
15 10.77.950; and providing an expiration date.

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

17 NEW SECTION. **Sec. 1.** (1)(a) A task force to review laws related  
18 to criminal insanity and competency to stand trial is established,  
19 with members as provided in this subsection.

20 (i) One member from each of the two largest caucuses of the  
21 senate, to be appointed by the president of the senate;

1 (ii) One member from each of the two largest caucuses of the  
2 house of representatives, to be appointed by the speaker of the house  
3 of representatives;

4 (iii) The secretary of the department of social and health  
5 services or the secretary's designee;

6 (iv) The secretary of the department of corrections or the  
7 secretary's designee;

8 (v) The director of the health care authority or the director's  
9 designee;

10 (vi) The Washington state attorney general or the attorney  
11 general's designee;

12 (vii) The director of the Washington state office of public  
13 defense or the director's designee; and

14 (viii) The department of social and health services shall appoint  
15 16 members representing the following:

16 (A) One member representing superior courts, to be designated by  
17 the Washington state superior court judges association;

18 (B) One member representing courts of limited jurisdiction, to be  
19 designated by the Washington state district and municipal courts  
20 judges association;

21 (C) One member representing prosecutors, to be designated by the  
22 Washington association of prosecuting attorneys;

23 (D) One member representing trial-level criminal defense  
24 attorneys, to be designated by the Washington defender association;

25 (E) One member representing law enforcement, to be designated by  
26 the Washington association of sheriffs and police chiefs;

27 (F) One member representing the interests of victims, to be  
28 designated by the office of crime victims advocacy;

29 (G) One member designated by disability rights Washington;

30 (H) One member designated by the national alliance on mental  
31 illness Washington;

32 (I) A representative of a medicaid managed care organization;

33 (J) A representative of county governments, to be designated by  
34 the Washington state association of counties;

35 (K) A representative of city governments, to be designated by the  
36 association of Washington cities;

37 (L) A representative of western state hospital;

38 (M) A representative of eastern state hospital; and

39 (N) Three individuals with direct lived experience of the  
40 forensic mental health system, including at least one person who is a

1 former competency restoration patient and at least one person with  
2 experience of commitment related to criminal insanity.

3 (b) The task force shall choose its cochairs from among its  
4 membership. The department of social and health services shall  
5 convene the initial meeting of the task force.

6 (2) The task force shall undertake the following tasks:

7 (a) A comprehensive review of the laws in chapter 10.77 RCW to  
8 modernize and clean up issues that present barriers to  
9 administration, public safety, consistency, fairness, efficiency, and  
10 comprehension by victims, committed individuals, families, and the  
11 courts;

12 (b) Consider potential terminology and language changes to  
13 promote patient-centered language, improve coherence between legal  
14 and medical terminology, reduce stigma, and improve understanding of  
15 the competency evaluation process; and

16 (c) Make recommendations concerning law changes that would remove  
17 barriers to diversion, promote effective treatment, and increase  
18 services that would facilitate safe and responsible hospital  
19 discharges.

20 (3) The task force may form subcommittees to assist its work. The  
21 task force may contract with additional persons with specific  
22 technical expertise if necessary to carry out the mandates of the  
23 study. Such contracts may only be entered if an appropriation is  
24 specifically provided for this purpose.

25 (4) Staff support for the task force must be provided by the  
26 department of social and health services. Senate committee services  
27 and the office of program research shall provide staff support for  
28 the legislative members of the task force. The department of social  
29 and health services must provide reporting under RCW 43.18A.030.

30 (5) Legislative members of the task force are reimbursed for  
31 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
32 members are not entitled to be reimbursed for travel expenses if they  
33 are elected officials or are participating on behalf of an employer,  
34 governmental entity, or other organization. Any reimbursement for  
35 other nonlegislative members is subject to chapter 43.03 RCW.

36 (6) The task force shall report its findings and recommendations  
37 to the governor and the appropriate committees of the legislature by  
38 December 1, 2026.

39 (7) This section expires June 30, 2027.

1        NEW SECTION.    **Sec. 2.**    (1) The code reviser shall recodify, as  
2 necessary, the following sections of chapter 10.77 RCW in the  
3 following order within chapter 10.77 RCW, using the indicated chapter  
4 headings:

5    General

6    RCW 10.77.020  
7    RCW 10.77.027  
8    RCW 10.77.0942  
9    RCW 10.77.095  
10    RCW 10.77.097  
11    RCW 10.77.210  
12    RCW 10.77.230  
13    RCW 10.77.240  
14    RCW 10.77.250  
15    RCW 10.77.255  
16    RCW 10.77.260  
17    RCW 10.77.270  
18    RCW 10.77.275  
19    RCW 10.77.280  
20    RCW 10.77.300

21    Authorized Leave and Furloughs

22    RCW 10.77.145  
23    RCW 10.77.163

24    Community Notifications

25    RCW 10.77.165  
26    RCW 10.77.205  
27    RCW 10.77.207

28    Evaluations Under This Chapter

29    RCW 10.77.060  
30    RCW 10.77.065  
31    RCW 10.77.070  
32    RCW 10.77.100

33    Criminal Insanity

34    RCW 10.77.025  
35    RCW 10.77.030  
36    RCW 10.77.040  
37    RCW 10.77.080  
38    RCW 10.77.091  
39    RCW 10.77.094  
40    RCW 10.77.110

1 RCW 10.77.120  
2 RCW 10.77.132  
3 RCW 10.77.140  
4 RCW 10.77.150  
5 RCW 10.77.152  
6 RCW 10.77.155  
7 RCW 10.77.160  
8 RCW 10.77.170  
9 RCW 10.77.175  
10 RCW 10.77.180  
11 RCW 10.77.190  
12 RCW 10.77.195  
13 RCW 10.77.200  
14 RCW 10.77.220  
15 Competency to Stand Trial  
16 RCW 10.77.050  
17 RCW 10.77.068  
18 RCW 10.77.072  
19 RCW 10.77.074  
20 RCW 10.77.075  
21 RCW 10.77.079  
22 RCW 10.77.084  
23 RCW 10.77.0845  
24 RCW 10.77.086  
25 RCW 10.77.088  
26 RCW 10.77.0885  
27 RCW 10.77.089  
28 RCW 10.77.092  
29 RCW 10.77.093  
30 RCW 10.77.202  
31 RCW 10.77.320

32 (2) The code reviser shall correct all statutory references to  
33 sections recodified by this section.

34 NEW SECTION. **Sec. 3.** The following sections are decodified:

- 35 (1) RCW 10.77.2101 (Implementation of legislative intent);  
36 (2) RCW 10.77.290 (Secretary to adopt rules—2015 1st sp.s. c 7);  
37 (3) RCW 10.77.310 (Health care authority contracts—Compensation  
38 of staff in outpatient competency restoration programs);

1           (4) RCW 10.77.940 (Equal application of 1989 c 420—Evaluation for  
2 developmental disability); and  
3           (5) RCW 10.77.950 (Construction—Chapter applicable to state  
4 registered domestic partnerships—2009 c 521).

--- END ---