



Washington Association of
**SHERIFFS &
POLICE CHIEFS**

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**End of Session Report
2021 Regular Session**

July 9, 2021

This report covers bills passed by the Washington State Legislature during the 2021 Regular Session (January 11, 2021 – April 25, 2021).

Unless otherwise noted in the text of the legislation, all bills generally become effective on July 25, 2021.

Nothing in this report should be interpreted as legal advice. Please consult your legal advisor for legal advice.

The 'Short Descriptions' are a brief summary of the most substantive provisions of a bill. Please reference the actual text of legislation.

Bill #	Abbrev. Title	Short Description	Session Law Citation
HB 1001	Law enf. professional dev.	Establishes a law enforcement professional development outreach program at the Criminal Justice Training Commission to encourage a broader diversity of candidates to seek careers in law enforcement.	C 52 L 21
HB 1031	Birth cert., stillbirth	Allows a person who gives birth to a stillborn fetus to request and receive a certificate of birth resulting in stillbirth from the state or local registrar.	C 55 L 21
2SHB 1044	Prison to postsecondary ed.	Expands the Department of Corrections' (DOC) authority to implement postsecondary education programs at correctional institutions. Requires the DOC to establish a process for identifying, assessing, and accommodating incarcerated persons with learning disabilities, traumatic brain injuries, and cognitive impairments to support participation in educational programming. Requires the DOC to provide unofficial transcripts to incarcerated persons who participated in postsecondary education programs. Requires the DOC to consider educational programming when transferring individuals to other facilities and when releasing an individual to their county of origin. Requires the Washington State Institute for Public Policy to study and report on postsecondary education data of incarcerated persons post release. Requires the DOC and other state agencies to report annually on correctional postsecondary education programs.	C 200 L 21
ESHB 1054	Peace officer tactics, equip	Prohibits peace officers from using chokeholds and neck restraints. Prohibits law enforcement agencies from acquiring or using certain equipment. Establishes restrictions on tear gas, vehicular pursuits, and firing upon moving vehicles. Prohibits a peace officer from seeking, and a court from issuing, a search or arrest warrant granting an express exception to the "knock and announce" rule. Requires law enforcement agencies to adopt policies and procedures to ensure that uniformed peace officers are reasonably identifiable. Requires the Criminal Justice Training Commission to convene a work group to develop model policies on the use and training of canine teams.	C 320 L 21
E2SHB 1069	Local gov fiscal flexibility	Allows local government revenue from criminal justice sales taxes, the Criminal Justice Assistance Accounts, and certain King County excess property tax levies to supplant existing funds through December 31, 2023. Allows the sales and use tax for chemical dependency or mental health treatment services collected by a city to be used for modifications to existing facilities to address health and safety needs necessary to provide such services. Reduces restrictions on local governments' allowed use of funds from criminal justice sales taxes and real estate excise taxes through December 31, 2023. Increases the time a city's or town's water and electricity or sewage lien for delinquent charges can be applied after an emergency	C 296 L 21 PARTIAL VETO

		<p>declaration by the Governor that impacts collection of the charges.</p> <p>Partial Veto: Vetoes sections related to a definition of “retail sale” that would have gone into effect in 2022 but that was repealed by other legislation.</p>	
ESHB 1078	Voter eligibility/felony	Replaces the two-step approach of provisional and permanent restoration of a person's voting rights after a felony conviction with a process that provides for the automatic restoration of a person's voting rights if the person convicted of a felony is not serving a sentence of total confinement under the jurisdiction of the Department of Corrections. Removes provisions authorizing the revocation of a person's voting rights upon failure to pay legal financial obligations. Requires the Secretary of State to compare a list of registered voters to a list of person’s ineligible to vote by reason of a felony conviction once a month, rather than twice a year. Makes conforming changes to the voter registration oath, voter declaration enclosed with a ballot, and statutory eligibility to serve as a juror.	C 10 L 21
E2SHB 1086	Behavioral health consumers	Eliminates regional behavioral health ombuds services and creates the State Office of Behavioral Health Consumer Advocacy (SOBHCA) to establish rules, standards, and procedures for behavioral health consumer advocacy services across the state. Directs the SOBHCA to contract with a private nonprofit organization to provide behavioral health consumer advocacy services including certifying and coordinating the activities of behavioral health advocates throughout the state. Requires Medicaid managed care organizations to contract with the private nonprofit organization to provide behavioral health consumer advocacy services to their enrollees.	C 202 L 21
SHB 1088	Impeachment disclosures	Requires county prosecutors to adopt a protocol addressing potential impeachment disclosures. Requires the Criminal Justice Training Commission, subject to funding, to provide online training for potential impeachment disclosures. Requires law enforcement agencies to report potential impeachment information regarding an officer to prosecutors and, prior to hiring an officer with previous experience, to inquire whether the officer has been subject to potential impeachment disclosure. Establishes limited immunity from liability for a public agency, official, or employee, who shares impeachment information about an officer with a prosecutor or the officer's employer or potential employer.	C 322 L 21
E2SHB 1089	Law enforcement audits	Requires the Office of the State Auditor (SAO) to review any completed deadly force investigation to determine whether the involved actors complied with all applicable rules and procedures. Authorizes the SAO, upon the request of the Criminal Justice Training Commission, to review a law enforcement agency to ensure compliance with all applicable	C 319 L 21

		rules and procedures governing the training and certification of the agency's peace officers.	
EHB 1090	Private detention facilities	Prohibits persons, businesses, and state and local governments from operating private detention facilities or from using contracts with private detention facilities, with exceptions.	C 30 L 21
ESHB 1097	Worker protections	Establishes procedures for an employer to contest an order of immediate restraint (OIR) and appeal alleged violations of the OIR, and authorizes the imposition of daily civil penalties. Amends the antiretaliation provision under the Washington Industrial Safety and Health Act by prohibiting "materially adverse actions," expanding the time for filing a complaint, authorizing civil penalties, and making other changes. Creates a grant program to assist small businesses in equipment purchases or capital costs during a state of emergency proclamation.	C 253 L 21
HB 1104	Mortgage lending fraud acct	Extends the operation of the Mortgage Lending Fraud Prosecution Account until June 30, 2027. Extends the surcharge for prosecution of mortgage lending fraud until June 30, 2027.	C 31 L 21
SHB 1107	Nonresident vessel permits	Expands the authorization to obtain nonresident vessel permits: increases the length of the vessel that may be permitted to nonresident entities other than a person from 164 feet to 200 feet; makes foreign vessels potentially eligible for the nonresident vessel permit; provides that the entities eligible for such permits include an owner or entity chartering a vessel with a captain or crew, as long as individual charters are for at least three or more consecutive days; removes the restriction that limits the number of nonresident vessel permits that may be received by a nonresident entity that is not a person to two within any 36-month period; subjects to the use tax a vessel for which a nonresident vessel permit is obtained for a charter with a captain or crew; and extends the authority, originally set to terminate at the end of 2025, to the end of 2028.	C 150 L 21
ESHB 1109	Victims of sexual assault	Requires the Office of the Attorney General, in consultation with the Washington Association of Sheriffs and Police Chiefs, to collect status updates on cases tied to previously unsubmitted sexual assault kits collected prior to July 24, 2015. Requires Washington law enforcement agencies to provide information regarding sexual assault kits and related investigations to the Office of the Attorney General. Requires the Criminal Justice Training Commission to conduct an annual case review program on sexual assault investigations and prosecutions to improve training and case outcomes. Expands the statutory rights for sexual assault survivors.	C 118 L 21
ESHB 1113	School attendance	Requires that a truancy petition be filed between a student's seventh and fifteenth unexcused absence from school. Directs the Office of the Superintendent of Public Instruction (OSPI) to develop best practice guidance to reduce student absences and meet other specified requirements. Changes the term "community truancy board" to "community engagement board."	C 119 L 21
ESHB	Long-term	Changes requirements relating to background checks for long-	C 203 L 21

1120	services/emergency	term care workers. Alters certain regulatory requirements relating to long-term care facilities in the event of a pandemic, natural disaster, or other declared state of emergency. Changes licensing requirements for nursing assistants.	
2SHB-1127	COVID-19 health data-privacy	Protecting the privacy and security of COVID-19 health data collected by entities other than public health agencies, health-care providers, and health-care facilities.	VETOED
ESHB-1140	Juvenile access to attorneys	Requires law enforcement, subject to limited exceptions, to provide juveniles with in-person or remote access to an attorney prior to any waiver of the juvenile's constitutional rights when law enforcement: (1) questions a juvenile during a custodial interrogation; (2) detains a juvenile based on probable cause of involvement in criminal activity; or (3) requests that the juvenile provide consent to certain evidentiary searches of the juvenile or the juvenile's property. Provides that the consultation with an attorney may not be waived. Establishes, subject to limited exceptions, that statements made by a juvenile after they are contacted by law enforcement in a manner described above are inadmissible in evidence at trial, unless the juvenile makes an express, knowing, intelligent, and voluntary waiver of their rights after being provided with access to counsel and being fully informed of their rights. Addresses: scope of coverage and exceptions; assertion and waiver of rights; and the duties and powers of the Office of Public Defense to provide access to counsel.	C 328 L 21
E2SHB-1152	Comp health districts	Creates the Public Health Advisory Board. Modifies the composition of local boards of health beginning July 1, 2022. Establishes requirements relating to community health advisory boards.	C 205 L 21
SHB-1155	Emergency comm. sales tax	Modifies the emergency communications systems and facilities local sales and use tax to require a county currently imposing the tax to enter into an interlocal agreement with a city in that county if certain population thresholds and other conditions are met. Specifies minimum requirements for city representation in the interlocal agreement process.	C 297 L 21
2SHB-1161	Drug take-back programs	Authorizes the Department of Health (DOH) to approve more than one drug take-back program. Establishes a drug take-back program proposal fee for proposals received before January 1, 2024. Establishes requirements for program operator collaboration and allows the DOH to identify specific requirements for program promotion and consistent reporting in rule.	C 155 L 21
E2SHB-1186	Juvenile rehabilitation	Creates a community transition services program administered by the Department of Children, Youth, and Families (DCYF) where an individual who has served at least 60 percent of a term of confinement and at least 15 weeks of total confinement may serve a remaining portion of that term of confinement in the community while the DCYF monitors the individual's location and provides services.	C 206 L 21

E2SHB 1194	Parent-child visitation	Requires that the first visit after a child is placed outside the home of a parent, guardian, or legal custodian must take place within 72 hours of placement in the care of the Department of Children, Youth, and Families, unless the court finds that extraordinary circumstances exist. Establishes a presumption that if the court previously ordered that visitation between a parent and a child be supervised or monitored, such supervision will no longer be necessary at certain stages of child welfare proceedings. Requires that visitation occur in the least restrictive setting and be unsupervised unless the presence of threats or danger to the child requires the constant presence of an adult to ensure the safety of the child.	C 208 L 21
SHB 1207	DOL issued documents	Extends the renewal cycle for standard and enhanced driver's licenses, standard and enhanced identicards, commercial driver's licenses, and motorcycle endorsements from six years to eight years and adjusts the associated fees to reflect the new terms while retaining an option for a six-year renewal term. Allows online issuance and renewal of non-photo driver's instruction permits. Requires remote photo capture at driver's license and identicard online renewal beginning January 2023. Allows that driver's licenses and identicards can be renewed online any time through July 2024. Specifies that photos must be updated at least every 16 years for persons over 30; and every eight years for persons under 30. Requires the Department of Licensing to complete a study of the impacts to employment, backlog reduction, access to services, and other topics and report by December 2023.	C 158 L 21
SHB 1209	Nonmedical assist. immunity	Subject to limited exceptions, establishes immunity from civil liability for persons providing nonmedical care or assistance at the scene of an emergency or disaster.	C 66 L 21
ESHB 1214	K-12 safety & security serv.	Creates the safety and security category for classified staff at public elementary and secondary schools. Requires safety and security staff to meet specified training requirements. Directs the Educational Service Districts to develop a training program. Adds requirements for school districts and charter schools related to safety and security staff data collection, policies and procedures adoption, and agreements with law enforcement agencies and security guard companies.	C 38 L 21
SHB 1221	Homelessness definitions	Defines "homeless" for the Early Childhood Education and Assistance Program. Defines "experiencing homelessness" for purposes of child welfare. Replaces the term "homelessness" with the term "experiencing homelessness" in the child welfare statutes.	C 67 L 21
SHB 1223	Custodial interrogations	Requires law enforcement officers to electronically record custodial interrogations if the interrogation is of a juvenile or related to a felony. Requires law enforcement officers to electronically record audio and video of qualifying custodial interrogations at a jail, police or sheriff's station, holding cell, or correctional or detention facility. Requires law enforcement	C 329 L 21

		officers to electronically record, at a minimum, audio of any other custodial interrogations. Requires law enforcement agencies to establish and enforce rules and procedures relating to electronic recordings of custodial interrogations.	
E2SHB 1227	Child abuse allegations	Requires hospitals, law enforcement, and courts to find that the removal or detention of a child is necessary to prevent imminent physical harm due to child abuse or neglect before authorizing removal or detention of the child. Requires the Department of Children, Youth, and Families to make continuing efforts to place children with relatives and requires such placement unless there is no relative capable of ensuring the basic safety of the child. Requires the court to release a child to a parent unless the court finds reasonable cause to believe that removal of the child is necessary to prevent imminent physical harm and that the evidence show a causal relationship between the conditions in the home and imminent physical harm to the child.	C 211 L 21
ESHB 1236	Residential tenants	Specifies exclusive causes for eviction, refusal to renew, and ending a tenancy under the Residential Landlord-Tenant Act and makes other changes to rights and remedies.	C 212 L 21
EHB 1251	Wheeled ATVs/state highways	Expands the locations where a person may operate a wheeled all-terrain vehicle (WATV) on state highways to unincorporated areas with a posted speed limit of 35 miles per hour or less. Makes the authority to operate a WATV upon a state highway segment in unincorporated territory contingent upon the passage of an ordinance approving the operation on the segment by the county in which the state highway segment is located.	C 121 L 21
ESHB 1267	Police use of force	Establishes the Office of Independent Investigations within the Office of the Governor to investigate deadly force incidents involving peace officers. Requires law enforcement agencies to notify the Office of Independent Investigation of any incident under the jurisdiction of the office, and requires law enforcement agencies to surrender the scene upon arrival of investigators of the Office of Independent Investigations.	C 318 L 21
SHB 1269	Vehicle transporter plates	Limits the number of license plate sets for the purpose of a vehicle transporter business to no more than 10. Increases the fees for a vehicle transporter license and transporter license plates. Requires the loss, theft, or damaging of transporter license plates or indicator tabs to be reported within 10 days. Restricts the use of transporter license plates and indicator tabs to Washington public highways and authorizes the Director of the Department of Licensing to deny, suspend, or revoke a transporter license if the holder uses transporter license plates on public highways outside the state.	C 161 L 21
EHB 1271	County officials/continuity	Removes requirements for physical attendance for court clerks attending a virtual proceeding and for public auctions of real property under execution. Requires taxable real property characteristics to be reviewed in accordance with international association of assessing officer standards for physical inspection. Adds coroners and medical examiners to the Emergency	C 122 L 21

		Management Council, to the list of first responders who must be provided information by personal emergency service providers during an emergency, and to the government agencies that may access the Department of Licensing list of photos. Allows county auditors to satisfy public document inspection requirements by posting the documents online. Allows the State Auditor to extend the due date of a local government financial report by 30 days during an emergency. Allows the remaining amount due on annual tax assessments of personal property of over \$50 to be paid by October 31 when at least half of the tax due, along with applicable interest and penalties, is paid after April 30, but before October 31.	
SHB 1276	Diversion centers/EMS	Creates emergency services supervisory organizations (ESSOs) and allows emergency medical technicians to participate in them. Exempts ESSOs from the licensure requirements of ambulance service and aid service.	C 69 L 21
SHB 1294	Misdemeanant supervision	Permits limited jurisdiction courts to enter into interlocal agreements for the provision of pretrial and post-judgment probation supervision services, and establishes criteria governing the formation and scope of the interlocal agreements. Extends the limited immunity applicable to limited jurisdiction courts for the provision of misdemeanor probation services to persons operating at the direction of the court pursuant to an interlocal agreement.	C 41 L 21
E2SHB 1295	Institutional ed./release	Establishes new and modified duties for the Office of the Superintendent of Public Instruction (OSPI), the Department of Children, Youth, and Families (DCYF), and the State Board of Education related to the provision of public education to youth in or released from secure facilities. Directs the OSPI and the DCYF to jointly develop recommendations for the establishment, implementation, and funding of a reformed institutional education system. Establishes numerous provisions and requirements related to the recommendations of the OSPI and the DCYF, including the identification of issues that must be addressed and the creation of an advisory group.	C 164 L 21
SHB 1301	RTA fare enforcement options	Allows a regional transit authority to establish an alternative fare enforcement system, which allows for the issuance of notices of violation, the resolution of notices of violation, and appeals. Limits the fines associated with notices of violation to the same maximum amount allowed for civil infractions, but notices of violation may be subject to nonmonetary sanctions instead of fines.	C 70 L 21
E2SHB 1310	Uses of force by officers	Establishes a standard for the use of physical force by peace officers, including delineating circumstances where force is permissible. Establishes a new Duty of Reasonable Care for Washington law enforcement officers.	C 324 L 21
SHB 1314	Veteran diversion/invol comm	Requires a facility to inquire about a person's veteran status after arrival in a behavioral health facility and coordinate with Veteran's Health Administration facilities if the person is a	C 125 L 21

		veteran or eligible for veterans services.	
HB 1315	Domestic violence/workplace	Creates a task force on domestic violence and workplace resources to identify the role of the workplace in helping to curb domestic violence.	C 43 L 21
E2SHB 1320	Civil protection orders	Consolidates, modifies, and harmonizes laws governing domestic violence protection orders, sexual assault protection orders, stalking protection orders, antiharassment protection orders, vulnerable adult protection orders, and extreme risk protection orders under a new chapter governing all protection orders, and repeals current protection order laws. Amends laws addressing the recognition and enforcement of Canadian domestic violence protection orders. Revises laws governing orders to surrender and prohibit weapons, revocation of concealed pistol licenses, unlawful possession of firearms, and domestic violence no-contact orders. Establishes responsibilities of school districts with respect to students who are subject to protection orders.	C 215 L 21
SHB 1322	Off-road vehicle enforcement	Removes the permission for a resident from a state that does not impose a sales and use tax on transactions involving an off-road vehicle (ORV) to use the ORV in Washington without registering it. Allows a person that is a resident of another state to register an ORV in Washington without paying a fee under certain circumstances. Requires the Department of Licensing and the Department of Revenue to jointly notify certain Washington owners of a ORV or snowmobile of the penalty for failure to register the vehicle in Washington as required. Establishes a gross misdemeanor and fines for registering an ORV or a snowmobile in another state to avoid sales and use taxes.	C 216 L 21
2SHB 1325	Behavioral health/youth	Establishes the Partnership Access Line for Moms and the Mental Health Referral Service for Children and Teens as ongoing programs. Requires the Health Care Authority to provide reimbursement for up to five sessions of mental health intake and assessment of children from birth through age 5 in home and community settings. Requires providers to use the current version of the Diagnostic Classification of Mental Health and Developmental Disorders of Infancy and Early Childhood.	C 126 L 21
ESHB 1326	Coroners & medical examiners	Requires coroners, medical examiners, and full-time medicolegal investigative personnel, other than prosecuting attorneys acting as ex-officio coroners and those who have already received comparable training, to complete medicolegal forensic investigation training within 12 months of assuming office. Requires coroner's and medical examiner's offices, other than those run by a prosecuting attorney, to be accredited by July 1, 2025. Conditions 25 percent of reimbursement for autopsy costs from the Death Investigations Account on coroner's and medical examiner's offices satisfying these training and accreditation requirements. Allows a county to enter into an interlocal agreement with an adjoining county for coroner or medical examiner services. Removes the prosecuting attorney as ex-officio coroner in noncharter counties with a population of less	C 127 L 21

		than 40,000 and allows the county legislative authority to determine whether the new coroner will be elected or appointed, as of January 1, 2025. Provides minimum salaries for elected coroners in counties with under 40,000 people, or allows the county legislative authority to alternatively set the salary on a per case basis.	
SHB 1348	Incarcerated persons/medical	Prohibits a person's Medicaid eligibility from being affected by the person's incarceration status for up to 29 days. Expands the settings and changes the circumstances under which an incarcerated person's Medicaid status must be suspended. Requires coordination between the Department of Corrections, local jails, and Medicaid managed care organizations.	C 166 L 21
SHB 1373	Behavioral health/students	Requires public schools, within existing resources, to post contact information for behavioral health organizations on their website home pages and to post corresponding information on social media websites used by the school district.	C 167 L 21
HB 1399	Prof. licensure/convictions	Allows a person with a criminal conviction to request a determination of whether that criminal history is disqualifying for obtaining a professional license administered by the Department of Licensing.	C 194 L 21
SHB 1411	Health care workforce	Prohibits the Department of Social and Health Services (Department) from automatically disqualifying a person who has a criminal record containing certain crimes from having unsupervised access to, working with, or providing care to vulnerable adults or children. Establishes a work group to identify an informed choice process to allow older adults and people with disabilities to hire an individual with a criminal record that would otherwise disqualify the person from providing paid home care services. Authorizes the Department to exercise its discretion regarding whether to permit or prohibit a person with a certificate of restoration of opportunity to have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental disabilities.	C 219 L 21
SHB 1424	Sale of dogs and cats	Prohibits a retail pet store from selling cats. Prohibits a retail pet store from selling dogs unless the pet store sold dogs prior to the effective date of the act.	C 76 L 21
HB 1437	Vessel crewmember license	Authorizes the Fish and Wildlife Commission to adopt fishery-specific rules regarding commercial fishing crewmember licenses. Requires crewmember license holders to carry identification. Provides that a generic crewmember license held by a commercial fishing license holder may not be used for a person who is otherwise prohibited from obtaining a crewmember license.	C 46 L 21
ESHB 1443	Cannabis industry/equity	Expands the purpose of the Task Force on Social Equity in Cannabis (Task Force) to include providing social equity program recommendations to the Liquor and Cannabis Board on the issuance and reissuance of existing cannabis producer and processor licenses. Modifies Task Force reporting requirements, including adding recommendation topics and extending the due	C 169 L 21

		date for final recommendations to December 9, 2022. Expands the entities eligible to receive grants under the Cannabis Social Equity Technical Assistance Grant Program to include all types of cannabis license holders and cannabis license applicants meeting social equity applicant criteria. Authorizes the Department of Commerce to establish a roster of mentors to support and advise social equity applicants and current cannabis licensees meeting social equity applicant criteria.	
HB 1469	Enhanced raffle procedures	Increases the maximum value the Washington State Gambling Commission (Commission) may authorize for an enhanced raffle grand prize from \$5 million to \$10 million. Requires the Commission to address enhanced raffles under its existing reporting obligations to the Governor and Legislature. Removes the provision that expires the enhanced raffle statute on June 30, 2022.	C 81 L 21
E2SHB 1477	National 988 system	Directs the Department of Health to designate crisis hotline centers that meet standards related to technology and the ability to identify and deploy community crisis resources for persons experiencing a behavioral health crisis. Establishes the Crisis Response Improvement Strategy Committee to develop a comprehensive assessment of the behavioral health crisis services system and a recommended vision for an integrated crisis network throughout Washington. Requires that health plans and medical assistance programs provide coverage for next day appointments for enrollees experiencing urgent, symptomatic behavioral health conditions. Establishes the Statewide 988 Behavioral Health Crisis Response Line Tax on phone lines to fund the crisis hotline centers and response services. Makes several appropriations to increase capacity for the existing crisis call centers and begin implementation of the crisis call center hub system and supporting technology.	C 302 L 21
E2SHB 1480	Liquor licensee privileges	Codifies, until July 1, 2023, liquor license privileges similar to allowances the Liquor and Cannabis Board (LCB) is providing to licensees during the COVID-19 pandemic. Includes authorizations related to curbside service, takeout, and delivery of alcohol products, the sale by restaurants of premixed cocktails, cocktail kits, and wine drinks, and the sale of growlers by certain licensees. Requires the LCB to adopt rules related to the temporary privileges, directs the LCB to consider revising rules to provide greater flexibility for food service menu requirements for liquor licensees, and provides an expiration to the LCB's temporary relaxation of certain requirements. Requires the LCB to contract for an independent study of the impacts of the new, temporary privileges.	C 48 L 21
SHB 1484	Building mapping system	Repeals provisions directing the operation and use of the first responder building mapping information system for schools and other public buildings (mapping system). Removes references to the mapping system in safe school plan requirements. Directs transfer of mapping system information to the Office of the	C 223 L 21

		Superintendent of Public Instruction, the Governor, and other public entities upon request.	
SHB 1514	Transportation demand	Reduces the minimum requirement for ride sharing from five persons including the driver to three persons including the driver, and eliminates weight and trip requirements. Requires the Washington State Department of Transportation and the Commute Trip Reduction (CTR) Board to make recommendations regarding changes to the CTR program. Broadens eligibility for certain tax exemptions, tax credits, and license plates associated with ride sharing and commute trip reduction.	C 135 L 21
SSB 5009	Public expression protection	Creates a special motion for expedited relief to dismiss certain legal claims arising from First Amendment activities, stay proceedings, and discovery until the motion and any appeal is resolved. Addresses: scope of covered claims and exceptions; the legal standard for dismissal; notice requirements; fee-shifting; and interlocutory appeals.	C 259 L 21
SB 5015	Fraudulent ballot drop boxes	Establishes a gross misdemeanor for misrepresenting an unofficial ballot collection site or device as an official ballot drop box that has been established by the county auditor.	C 85 L 21
SB 5016	All-terrain vehicles	Directs the Department of Licensing to permit owners of certain wheeled allterrain vehicles (WATVs) to license the vehicle concurrently for use as a tracked all-terrain vehicle (TATV) and for off-road and/or on-road use. Requires a person who applies for a concurrent vehicle license for a WATV and TATV to submit a one-time declaration providing that, while in use upon public roads, the vehicle will conform with all federal and state motor vehicle safety standards.	C 86 L 21
SB 5021	Retirement benefits/furlough	Provides that specified public pensions will not be reduced as a result of compensation reductions that are part of a public employer's expenditure reduction efforts during the 2019-2021 and 2021-23 fiscal biennia. Provides that the pension benefit of an employee covered by a pension system that is administered by the Department of Retirement Systems is not reduced as a result of participation in an unemployment insurance shared work program, retroactive to July 28, 2013.	C 12 L 21
ESSB 5038	Open carry of weapons	Prohibits the open carry of firearms and other weapons at or near permitted demonstrations, on west State Capitol Campus grounds, in buildings on state capitol grounds, and in specified state legislative locations. Provides exemptions for law enforcement personnel when acting in conformance with their employing agency's policy and members of the armed forces while in the discharge of official duties.	C 261 L 21
SB 5046	Worker comp claim agreements	Amends the workers' compensation claim resolution structured settlement provisions to allow for settlements to be paid in a single lump sum. Requires the Board of Industrial Insurance Appeals to provide copies of all final claim resolution settlement agreements to the Department of Labor and Industries.	C 89 L 21
E2SSB 5051	Peace & corrections officers	Modifies the priorities, composition, and obligations of the Criminal Justice Training Commission (CJTC). Expands the	C 323 L 21

		background investigation requirements for persons applying for peace officer, reserve officer, and corrections officer positions. Makes changes to the certification and decertification processes for peace officers and corrections officers. Modifies records retention requirements for law enforcement and corrections agencies, and requires employing agencies to report all separations and other specified incidents regarding officers to the CJTC. Requires the CJTC to maintain a public database containing information relating to officers, CJTC investigations, and decertification proceedings. Requires the CJTC to provide a report to the Governor and the Legislature regarding the implementation of the bill, and to provide an additional report with information related to officer training and categorization of different types of officers.	
SSB 5055	Law enforcement grievances	Establishes mandatory procedures for selecting arbitrators in grievance arbitrations for disciplinary actions of law enforcement personnel covered by collective bargaining agreements. Requires the Public Employment Relations Commission to appoint arbitrators, implement training, create a fee schedule, and post arbitrator decisions on its website.	C 13 L 21
SSB 5066	Officer duty to intervene	Requires a peace officer to intervene when witnessing another officer engaging in the use of excessive force. Requires a peace officer to report to a supervisor when he or she witnesses another officer committing wrongdoing.	C 321 L 21
E2SSB 5071	Civil commitment transition	Creates transition teams and enhances behavioral health services to support the release of persons found not guilty by reason of insanity, and certain persons who have been civilly committed following dismissal of a violent felony based on incompetence to stand trial, from the state hospitals. Imposes requirements on the Health Care Authority and behavioral health administrative organizations related to less restrictive alternative treatment orders.	C 263 L 21
SSB 5073	Involuntary commitment	Expands less restrictive alternative treatment requirements to include a substance use disorder evaluation and consultation about the formation of a mental health advance directive. Applies provisions related to video evaluations under the Involuntary Treatment Act to minors. Authorizes courts to provide periodic monitoring to patients ordered to receive involuntary outpatient treatment and to modify the terms of their commitment orders. Amends various provisions related to the American Indian/Alaska Native behavioral health system.	C 264 L 21
ESSB 5092	Operating budget	Makes biennial operating appropriations for the 2021-23 biennium, fund transfers, and contains other provisions. Makes supplemental operating appropriations for the 2019-21 biennium. (See http://leap.leg.wa.gov for additional information.) Partial Veto: Vetoes several items in the 2021-23 biennial budget and the 2021 supplemental budget. (See veto message.)	C 334 L 21 PARTIAL VETO

SB 5101	Emerg. mgmt. council/tribes	Adds two representatives of federally recognized tribes to the Emergency Management Council.	C 233 L 21
ESSB 5115	Health emergency/labor	Creates an occupational disease presumption, for the purposes of workers' compensation, for frontline employees during a public health emergency. Requires certain employers to notify the Department of Labor and Industries when 10 or more employees have tested positive for the infectious disease during a public health emergency. Requires employers to provide written notice to employees of potential exposure to the infectious disease during a public health emergency. Prohibits discrimination against high-risk employees who seek accommodations or use leave options.	C 252 L 21
ESSB 5118	Reentry	Requires that persons serving a term of imprisonment in a juvenile rehabilitation institution are included in the requirement to bring an untried indictment, information, or complaint against the person to trial within 120 days after the prisoner delivers to the prosecutor and the superior court written notice of the prisoner's place of imprisonment and a request for a final disposition. Includes community facilities, the group care facilities operated for the care of juveniles committed to the Department of Children, Youth, and Families (DCYF), within the definition of "essential public facilities" for purposes of siting. Requires the DCYF, at least 30 days before an individual's release from a residential facility, to send written notice of the planned release to the individual's health care insurance provider or assist the individual in obtaining coverage.	C 265 L 21
ESSB 5119	Individuals in custody	Requires the Department of Corrections to convene an unexpected fatality review team to conduct an unexpected fatality review when an incarcerated individual dies unexpectedly or a case is identified by the Office of Corrections Ombuds for review. Requires a city or county department of corrections or chief law enforcement officer responsible for the operation of a jail to convene an unexpected fatality review team to conduct a review when an individual confined in the jail dies unexpectedly.	C 139 L 21
ESSB 5121	Graduated reentry program	Modifies the maximum length of participation and minimum total confinement requirements for the Department of Corrections' (DOC) Graduated Reentry Program based on the nature of the offense committed by an individual. Requires the DOC to publish a monthly report on its website and submit an annual report to the Legislature with the number of individuals who were transferred to home detention as part of the Graduated Reentry Program.	C 266 L 21
ESB 5135	Unlawfully summoning police	Establishes a civil cause of action for damages against a person who knowingly causes law enforcement to contact another person with the intent to: infringe on a person's constitutional rights; unlawfully discriminate against the person; cause the person to be harassed or humiliated, or expelled from a place the person is lawfully located; or damage the person's reputation or financial, consumer, or business.	C 330 L 21

SSB 5152	Vehicle and driver data	Requires the Department of Licensing to contract with an entity authorized to receive personal or identity information that must include limitations for the use of this information, requirements that the data recipient allow regular use audits and undergo regular data security audits, and provisions governing redisclosure of this information. Establishes a civil penalty for the unauthorized disclosure or use of personal or identity information of up to \$20,000 per incident. Expands government access to personal and identity information for any request related to the carrying out of governmental functions, except for requests that target Washington residents solely on the basis of race, religion, immigration or citizenship status, or national or ethnic origin. Expands access to driving abstract information to transportation network companies, as well as to state agencies and scientific research organizations conducting research.	C 93 L 21
SSB 5157	Behavioral disorders/justice	Requires the Performance Measures Coordinating Committee to establish performance measures that track rates of criminal justice system involvement for clients with an identified behavioral health need. Requires the Health Care Authority to provide a report with options and recommendations for adding value-based purchasing terms and a performance improvement project to Medicaid managed care contracts relating to criminal justice outcome measures.	C 267 L 21
E2SSB 5163	Conditionally released SVPs	Shifts the primary responsibility for identifying less restrictive alternative (LRA) placements for civilly committed sexually violent predators (SVPs) to the Department of Social and Health Services (DSHS) in certain circumstances, and requires LRA placements to align with fair share principles when possible. Requires the DSHS to contract with LRA housing and treatment providers based on a housing matrix. Allows the state to site secure community transition facilities and other conditional release and transitional facilities in any county of the state. Provides that SVPs must have a clinically appropriate discharge plan as part of the treatment process through the DSHS. Requires community notification of any change of address of a conditionally released SVP. Allows the Department of Corrections to enter a 96-hour arrest warrant pending a judicial bench warrant when an SVP on conditional release disappears. Requires the establishment of a work group to address issues relating to the availability of sex offender treatment providers. Requires the DSHS to enter into a memorandum of understanding with the Department of Licensing to allow residents at the Special Commitment Center to obtain a state identification card.	C 236 L 21
ESB 5164	Persistent offenders/robbery	Requires a court to resentence a person serving a sentence of life imprisonment without the possibility of release under the "three strikes law" if the basis for the sentence is a conviction of Robbery in the second degree.	C 141 L 21
SB 5177	Sex offenses/nonmarriage	Removes nonmarriage of the victim and perpetrator as an element of certain grounds of various sex offenses, including	C 142 L 21

		Rape of a Child, Child Molestation, Sexual Misconduct with a Minor, Rape in the second degree, and Indecent Liberties.	
ESSB 5180	Vacating certain convictions	Authorizes a person to apply to vacate a qualifying conviction where the person committed the offense as a result of being the victim of sex trafficking, prostitution, commercial sexual abuse of a minor, domestic violence, or sexual assault. Authorizes a prosecutor to apply to vacate a qualifying conviction on behalf of a victim of sex trafficking, prostitution, commercial sexual abuse of a minor, domestic violence, or sexual assault. Authorizes a person who is a family member of a homicide victim to apply to vacate the victim's conviction for a misdemeanor prostitution offense on behalf of the victim. Repeals the provision authorizing a person to apply to vacate a conviction for a misdemeanor prostitution offense where the person committed the offense as a result of being the victim of sex trafficking or promotion.	C 237 L 21
2SSB 5183	Nonfatal strangulation	Requires the costs for forensic exams in domestic violence assault cases involving nonfatal strangulation to be paid by the state through the Crime Victim Compensation Program through July 1, 2023. Requires the Office of Crime Victims Advocacy to develop best practices for local communities to increase access to forensic nurse examiners for nonfatal strangulation assaults and develop strategies to make forensic nurse examiner training available in all regions of the state.	C 269 L 21
SSB 5185	Health care consent	Establishes a rebuttable presumption that a person has the capacity to make health care decisions, if they are of age. Makes terminology changes to reflect changes made in the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act.	C 270 L 21
2SSB 5195	Opioid overdose medication	Requires a hospital emergency department to provide opioid overdose reversal medication to a patient with symptoms of an opioid overdose or opioid use disorder upon discharge. Requires behavioral health agencies to assist a client with symptoms of an opioid use disorder or who reports recent unauthorized opioid use in directly obtaining opioid overdose reversal medication. Requires the Health Care Authority (HCA) to establish the opioid overdose reversal medication bulk purchasing and distribution program. Requires Medicaid managed care organizations and the HCA to reimburse hospitals and behavioral health agencies for providing opioid overdose reversal medication.	C 273 L 21
ESSB 5203	Generic prescription drugs	Authorizes the Health Care Authority to enter into partnership agreements with other states, state agencies, or nonprofit entities to produce, distribute, or purchase generic prescription drugs and purchase and distribute insulin. Requires state purchased health care programs to purchase generic drugs and insulin through any available partnerships and allows other entities to purchase through a partnership voluntarily.	C 274 L 21
ESSB 5226	License suspensions/traffic	Removes the penalty of driver's license suspension for failing to comply with the terms of a notice of a non-criminal traffic infraction for a moving violation. Requires the court to enter into	C 240 L 21

		a payment plan when a person requests to do so if the person does not have the ability to pay the monetary obligation in full and certain conditions are met. Requires driver's license suspension if a person who fails to make a payment under a payment plan fails to appear and provide evidence of ability to pay when required to do so by a court. Mandates driver's license suspension for 60 days and establishes a one year probation when a person commits one or more moving violations on three or more separate occasions within one year or on four or more separate occasions within two years. Authorizes the Department of Licensing to administratively reinstate the driver's license of a person whose license was suspended prior to January 1, 2023, because the person failed to respond to a notice of a traffic infraction, failed to appear at a requested hearing, violated a written promise to appear in court, or failed to comply with the terms of a notice of traffic infraction. Increases the total amount owed in assessments for a traffic infraction by \$6 and adds a \$1 fee for all original and renewal driver's licenses.	
SSB 5254	Protective devices/health	Provides that an employer who does not require employees to wear specific personal protective equipment (PPE), must accommodate an employee's or contractor's voluntary use of specific PPE, during a public health emergency and when other conditions are met.	C 146 L 21
E2SSB 5259	Law enforcement data	Requires the Office of the Attorney General (AGO) to establish an advisory group to make recommendations for the design, development, and implementation of a statewide program for collecting, reporting, and publishing law enforcement use of force data by April 1, 2022. Requires the AGO to engage in a competitive procurement process to select a Washington private or public institution of higher education to implement the statewide use of force data program. Requires law enforcement agencies to report all instances of the use of force by no later than three months after the AGO determines the statewide use of force data program can accept reports.	C 326 L 21
ESSB 5263	Personal injury defenses	Limits the felony bar affirmative defense in civil actions arising out of law enforcement activities resulting in personal injury or death, such that the defendant must prove each element of the defense beyond a reasonable doubt.	C 325 L 21
ESSB 5272	Liquor & cannabis board fees	Waives fees for certain liquor licenses administered by the Liquor and Cannabis Board for a period of one year.	C 6 L 21
2SSB 5293	Mental health sentencing alt	Creates a mental health sentencing alternative allowing for imposition of a term of community custody and treatment in place of confinement for certain felony defendants diagnosed with serious mental illness. Partial Veto: Vetoes the section containing an emergency clause.	C 242 L 21 PARTIAL VETO
SB 5296	WSP retirement/index def.	Changes a reference to the Consumer Price Index used to adjust the benefits for retirees of the Washington State Patrol Retirement System from the obsolete Seattle-Tacoma-	C 98 L 21

		Bremerton, Washington area to the Seattle, Washington area.	
E2SSB 5304	Reentry services	<p>Expands the requirement to reinstate medical assistance coverage for persons being released from confinement. Directs the Health Care Authority (HCA) to seek a federal waiver to provide medical services to persons who are confined in a correctional institution, state hospital, or other treatment facility for up to 30 days prior to the person's release or discharge. Instructs the HCA to convene a reentry services work group to consider improvements to reentry services for persons with behavioral health needs. Directs the Washington State Institute for Public Policy to update its previous evaluations of the Reentry Community Services program.</p> <p>Partial Veto: Vetoes the section that affects the factors that the Department of Corrections must consider when determining a person's county of discharge for the purpose of release to community custody.</p>	C 243 L 21 PARTIAL VETO
ESSB 5353	Law enf community engagement	Creates a pilot project within the Department of Commerce (Commerce) to award grants to public agencies and nongovernmental organizations for the purpose of fostering community engagement through neighborhood organizing, law enforcement-community partnerships, youth mobilization, and business engagement. Requires Commerce to submit a preliminary report to the Legislature regarding the pilot project by January 1, 2022, and submit a final report to the Legislature by December 1, 2023.	C 327 L 21
SSB 5361	Drug offenses/resentencing	Modifies the criteria for a person to qualify for resentencing for a drug offense committed prior to July 1, 2004 (which corresponds to the enactment of specialized drug sentencing laws). Requires the court to resentence a qualifying person based on current sentencing guidelines.	C 286 L 21
ESSB 5370	Mental health av. directives	Updates mental health advance directive provisions to include substance use and cooccurring disorders. Permits a notary public to take acknowledgment of a mental health advance directive. Amends the form used to create a mental health advance directive.	C 287 L 21
SSB 5384	Volunteer firefighters	Modifies the definition of volunteer firefighter for purposes of employment protection provisions.	C 105 L 21
ESSB 5432	Cybersecurity/state gov.	Creates the Office of Cybersecurity (OCS) within the Office of the Chief Information Officer (OCIO) and transfers the OCIO's responsibilities relating to state information technology (IT) security programs to the OCS. Requires the OCS to collaborate with state agencies to develop a catalog of cybersecurity services and functions for the OCS to perform. Requires the OCS to contract for an independent security assessment of state agency IT program audits. Sets standards for data sharing and major cybersecurity incident reporting.	C 291 L 21
ESSB 5452	Electric-assisted bicycles	Directs the Department of Fish and Wildlife (WDFW) and the Department of Natural Resources (DNR) to undergo a public	C 191 L 21

		process to collect information related to electric-assisted bicycle (e-bike) use on natural surface trails and roads. Directs the WDFW and the DNR to report their findings to the Legislature. Authorizes persons who possess a current parking placard for persons with disabilities to use class 1 and class 2 e-bikes on nonmotorized natural surface trails and closed roads on lands managed by the DNR and by the WDFW until June 30, 2023, or until legislation is enacted or rules are adopted on this topic, whichever is earlier.	
SSB 5460	Autonomous vehicles	Removes the prohibition on driving a motor vehicle equipped with a television viewer, screen, or other means of visually receiving a television broadcast when moving images are visible to the driver. Delays by one year requirements for autonomous vehicle testing related to providing certain testing information to the Department of Licensing and periodic collision and moving violation reporting. Defines "autonomous" to mean a Level 4 or Level 5 driving automation system according to the Society of Automotive Engineering International's standard for the purposes of autonomous vehicle testing requirements.	C 193 L 21
ESB 5476	State v. Blake decision	Requires the Health Care Authority (HCA) to establish a substance use recovery services plan to assist persons with substance use disorder in accessing outreach, treatment, and recovery support services. Requires that behavioral health administrative services organizations establish a recovery navigator program to provide community-based outreach, intake, assessment, connection to services, and long-term intensive case management and recovery coaching services to individuals with substance use disorder. Establishes funding programs for increasing substance use disorder treatment services, expanding recovery support services, homeless outreach stabilization transition programs, projects for psychiatric outreach to the homeless program, substance misuse prevention efforts, and contingency management programs. Modifies offenses and penalties under the Uniform Controlled Substances Act and related provisions. Requires pre-arrest diversion measures for possession offenses and expands certain current law provisions authorizing alternatives to arrest. Requires basic law enforcement training to include training on interactions with persons with substance use disorder. Makes changes related to proceedings for vacating convictions and resentencing associated with the State v. Blake decision, and creates an account to fund specified costs related to the decision. Appropriates \$84.6 million from the State General Fund and \$3.9 million from the General Fund- Federal Account for a variety of activities. Partial Veto: Vetoes the section that creates a new account in the State Treasury.	C 311 L 21 PARTIAL VETO

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