

FINAL BILL REPORT

SHB 2885

PARTIAL VETO

C 206 L 98

Synopsis as Enacted

Brief Description: Increasing penalties for drunk driving.

Sponsors: By House Committee on Law & Justice (originally sponsored by Representatives Mulliken, Sheahan, Costa, McDonald, Backlund, Mielke, Smith, Boldt and Thompson).

House Committee on Law & Justice
Senate Committee on Law & Justice

Background: The drunk driving (DUI) law has a variety of criminal penalty provisions, including a number of mandatory minimum penalties. For a first DUI offense within five years, the mandatory minimum jail sentence is one day if the offender's blood alcohol concentration (BAC) was less than 0.15. For a first-time offender with a BAC of 0.15 or more, the mandatory minimum jail sentence is two days.

Courts have jurisdiction over DUI offenders for two years in order to supervise probationary sentences.

Summary: Alternatives to the mandatory minimum jail sentences for a first-time DUI offender are provided.

For a first-time offender with a BAC below 0.15, the court may order that in lieu of one day in jail the offender is subject to not less than 15 days of electronic home monitoring. The home monitoring must be paid for by the offender and may include breathalyzer testing and restrictions on alcohol consumption.

For a first-time offender with a BAC of 0.15 or more, the same electronic home monitoring option is available in lieu of the mandatory two days in jail, but the monitoring is for a minimum of 30 days.

The period of court jurisdiction over DUI offenders on probation is extended from two years to five years.

Votes on Final Passage:

House 96 0

Senate 48 0 (Senate amended)
House 95 0 (House concurred)

Effective: June 11, 1998

Partial Veto Summary: The Governor vetoed a provision that restates the existing authority for local governments to submit claims to the state for reimbursement for the costs of implementing new programs.