

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5551

Chapter 284, Laws of 2013

63rd Legislature
2013 Regular Session

COMPETENCY TO STAND TRIAL EVALUATIONS

EFFECTIVE DATE: 07/28/13 - Except for section 2, which becomes effective 05/16/13.

Passed by the Senate April 24, 2013
YEAS 46 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House April 16, 2013
YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 16, 2013, 2:44 p.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5551** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

May 17, 2013

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5551

AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Conway, Carrell, and Shin)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to competency to stand trial evaluations; adding a
2 new section to chapter 10.77 RCW; creating a new section; providing an
3 expiration date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.77 RCW
6 to read as follows:

7 (1) If, at the time of a referral for an evaluation of competency
8 to stand trial in a jail for an in-custody defendant, the department
9 has not met the performance target for timely completion of competency
10 evaluations under RCW 10.77.068(1)(a)(ii) during the most recent
11 quarter in fifty percent of cases submitted by the referring county, as
12 documented in the most recent quarterly report under RCW 10.77.068(3)
13 or confirmed by records maintained by the department, the department
14 shall reimburse the county for the cost of appointing a qualified
15 expert or professional person under RCW 10.77.060(1)(a) subject to
16 subsections (2) and (3) of this section.

17 (2) Appointment of a qualified expert or professional person under
18 this section must be from a list of qualified experts or professional
19 persons assembled with participation by representatives of the

1 prosecuting attorney and the defense bar of the county. The qualified
2 expert or professional person shall complete an evaluation and report
3 that includes the components specified in RCW 10.77.060(3).

4 (3) The county shall provide a copy of the evaluation report to the
5 applicable state hospital upon referral of the defendant for admission
6 to the state hospital. The county shall maintain data on the
7 timeliness of competency evaluations completed under this section.

8 (4) A qualified expert or professional person appointed by a court
9 under this section must be compensated for competency evaluations in an
10 amount that will encourage in-depth evaluation reports. Subject to the
11 availability of amounts appropriated for this specific purpose, the
12 department shall reimburse the county in an amount determined by the
13 department to be fair and reasonable with the county paying any excess
14 costs. The amount of reimbursement established by the department must
15 at least meet the equivalent amount for evaluations conducted by the
16 department.

17 (4) Nothing in this section precludes either party from objecting
18 to the appointment of an evaluator on the basis that an inpatient
19 evaluation is appropriate under RCW 10.77.060(1)(d).

20 (5) This section expires June 30, 2016.

21 NEW SECTION. **Sec. 2.** Within current resources, the office of the
22 state human resources director shall gather market salary data related
23 to psychologists and psychiatrists employed by the department of social
24 and health services and department of corrections and report to the
25 governor and relevant committees of the legislature by June 30, 2013.

26 NEW SECTION. **Sec. 3.** Section 2 of this act is necessary for the
27 immediate preservation of the public peace, health, or safety, or
28 support of the state government and its existing public institutions,
29 and takes effect immediately.

Passed by the Senate April 24, 2013.

Passed by the House April 16, 2013.

Approved by the Governor May 16, 2013.

Filed in Office of Secretary of State May 17, 2013.