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**SUBSTITUTE SENATE BILL 5925**

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**State of Washington                      64th Legislature                      2015 Regular Session**

**By** Senate Human Services, Mental Health & Housing (originally sponsored by Senator Hargrove)

READ FIRST TIME 02/20/15.

1            AN ACT Relating to diversion of nonfelony charges when a party  
2 has raised the issue of competency to stand trial; and adding a new  
3 section to chapter 10.77 RCW.

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  
6 RCW to read as follows:

7            (1) If the defendant is charged with a nonfelony offense, and the  
8 issue of competency to stand trial is raised by the court or a party  
9 under RCW 10.77.060, the prosecutor may continue with the competency  
10 process or dismiss the charges without prejudice and refer the  
11 defendant for assessment by a mental health professional, chemical  
12 dependency professional, or developmental disabilities professional  
13 to determine the appropriate service needs for the defendant.

14            (2) This section does not apply to defendants with a current  
15 charge or prior conviction for a serious violent offense or sex  
16 offense as defined in RCW 9.94A.030.

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