

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1524**

Chapter 205, Laws of 2018

65th Legislature  
2018 Regular Session

THERAPEUTIC COURTS--CRIMINAL JUSTICE TREATMENT ACCOUNT

EFFECTIVE DATE: June 7, 2018

Passed by the House March 5, 2018  
Yeas 98 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate March 2, 2018  
Yeas 48 Nays 0

CYRUS HABIB

**President of the Senate**

Approved March 22, 2018 3:31 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1524** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

March 26, 2018

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1524**

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AS AMENDED BY THE SENATE

Passed Legislature - 2018 Regular Session

**State of Washington                      65th Legislature                      2017 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Kloba, Klippert, Goodman, Holy, Macri, Peterson, Haler, Doglio, Appleton, and Stanford)

READ FIRST TIME 02/24/17.

1            AN ACT Relating to increasing success in therapeutic courts;  
2 amending RCW 71.24.580; and creating a new section.

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

4            NEW SECTION.        **Sec. 1.**    Drug courts remove a defendant's or  
5 respondent's case from the criminal and civil court traditional trial  
6 track and allow those defendants or respondents the opportunity to  
7 obtain treatment services to address particular issues that may have  
8 contributed to the conduct that led to their arrest or other issues  
9 before the court. Such courts, by focusing on specific individuals'  
10 needs, provide treatment for the issues presented and ensure rapid  
11 and appropriate accountability for program violations, which  
12 decreases recidivism, improves the safety of the community, and  
13 improves the life of the program participant and the lives of the  
14 participant's family members by decreasing the severity and frequency  
15 of the specific behavior addressed by the therapeutic court.  
16 Therefore, the legislature finds compelling the research conducted by  
17 the Washington state institute for public policy and the research and  
18 data analysis division of the department of social and health  
19 services showing that providing recovery support services to clients  
20 in drug courts creates a benefit to the state of approximately seven  
21 dollars and sixty cents in reduced public expenditures and reduced

1 costs of victimization for each dollar spent. Therefore, it is the  
2 intent of the legislature to allow the use of a portion of the  
3 criminal justice treatment account to provide such services to foster  
4 increased success in drug courts.

5 **Sec. 2.** RCW 71.24.580 and 2017 3rd sp.s. c 1 s 981 are each  
6 amended to read as follows:

7 (1) The criminal justice treatment account is created in the  
8 state treasury. Moneys in the account may be expended solely for: (a)  
9 Substance use disorder treatment and treatment support services for  
10 offenders with a substance use disorder that, if not treated, would  
11 result in addiction, against whom charges are filed by a prosecuting  
12 attorney in Washington state; (b) the provision of substance use  
13 disorder treatment services and treatment support services for  
14 nonviolent offenders within a drug court program; and (c) the  
15 administrative and overhead costs associated with the operation of a  
16 drug court. Amounts provided in this subsection must be used for  
17 treatment and recovery support services for criminally involved  
18 offenders and authorization of these services shall not be subject to  
19 determinations of medical necessity. During the 2015-2017 fiscal  
20 biennium, the legislature may transfer from the criminal justice  
21 treatment account to the state general fund amounts as reflect the  
22 state savings associated with the implementation of the medicaid  
23 expansion of the federal affordable care act and the excess fund  
24 balance of the account. During the 2017-2019 fiscal biennium, the  
25 legislature may direct the state treasurer to make transfers of  
26 moneys in the criminal justice treatment account to the state general  
27 fund. It is the intent of the legislature to continue(~~(, in future~~  
28 ~~biennia,)) in the 2019-2021 biennium the policy of transferring to~~  
29 the state general fund such amounts as reflect the excess fund  
30 balance of the account. Moneys in the account may be spent only after  
31 appropriation.

32 (2) For purposes of this section:

33 (a) "Treatment" means services that are critical to a  
34 participant's successful completion of his or her substance use  
35 disorder treatment program, (~~but does not include the following~~  
36 ~~services: Housing other than that provided as part of an inpatient~~  
37 ~~substance use disorder treatment program, vocational training, and~~  
38 ~~mental health counseling)) including but not limited to the recovery~~

1 support and other programmatic elements outlined in RCW 2.30.030  
2 authorizing therapeutic courts; and

3 (b) "Treatment support" (~~means~~) includes transportation to or  
4 from inpatient or outpatient treatment services when no viable  
5 alternative exists, and child care services that are necessary to  
6 ensure a participant's ability to attend outpatient treatment  
7 sessions.

8 (3) Revenues to the criminal justice treatment account consist  
9 of: (a) Funds transferred to the account pursuant to this section;  
10 and (b) any other revenues appropriated to or deposited in the  
11 account.

12 (4)(a) For the fiscal year beginning July 1, 2005, and each  
13 subsequent fiscal year, the state treasurer shall transfer eight  
14 million two hundred fifty thousand dollars from the general fund to  
15 the criminal justice treatment account, divided into four equal  
16 quarterly payments. For the fiscal year beginning July 1, 2006, and  
17 each subsequent fiscal year, the amount transferred shall be  
18 increased on an annual basis by the implicit price deflator as  
19 published by the federal bureau of labor statistics.

20 (b) In each odd-numbered year, the legislature shall appropriate  
21 the amount transferred to the criminal justice treatment account in  
22 (a) of this subsection to the department for the purposes of  
23 subsection (5) of this section.

24 (5) Moneys appropriated to the department from the criminal  
25 justice treatment account shall be distributed as specified in this  
26 subsection. The department may retain up to three percent of the  
27 amount appropriated under subsection (4)(b) of this section for its  
28 administrative costs.

29 (a) Seventy percent of amounts appropriated to the department  
30 from the account shall be distributed to counties pursuant to the  
31 distribution formula adopted under this section. The division of  
32 alcohol and substance abuse, in consultation with the department of  
33 corrections, the Washington state association of counties, the  
34 Washington state association of drug court professionals, the  
35 superior court judges' association, the Washington association of  
36 prosecuting attorneys, representatives of the criminal defense bar,  
37 representatives of substance use disorder treatment providers, and  
38 any other person deemed by the department to be necessary, shall  
39 establish a fair and reasonable methodology for distribution to  
40 counties of moneys in the criminal justice treatment account. County

1 or regional plans submitted for the expenditure of formula funds must  
2 be approved by the panel established in (b) of this subsection.

3 (b) Thirty percent of the amounts appropriated to the department  
4 from the account shall be distributed as grants for purposes of  
5 treating offenders against whom charges are filed by a county  
6 prosecuting attorney. The department shall appoint a panel of  
7 representatives from the Washington association of prosecuting  
8 attorneys, the Washington association of sheriffs and police chiefs,  
9 the superior court judges' association, the Washington state  
10 association of counties, the Washington defender's association or the  
11 Washington association of criminal defense lawyers, the department of  
12 corrections, the Washington state association of drug court  
13 professionals, substance use disorder treatment providers, and the  
14 division. The panel shall review county or regional plans for funding  
15 under (a) of this subsection and grants approved under this  
16 subsection. The panel shall attempt to ensure that treatment as  
17 funded by the grants is available to offenders statewide.

18 (6) The county alcohol and drug coordinator, county prosecutor,  
19 county sheriff, county superior court, a substance abuse treatment  
20 provider appointed by the county legislative authority, a member of  
21 the criminal defense bar appointed by the county legislative  
22 authority, and, in counties with a drug court, a representative of  
23 the drug court shall jointly submit a plan, approved by the county  
24 legislative authority or authorities, to the panel established in  
25 subsection (5)(b) of this section, for disposition of all the funds  
26 provided from the criminal justice treatment account within that  
27 county. The funds shall be used solely to provide approved alcohol  
28 and substance abuse treatment pursuant to RCW 71.24.560((7)) and  
29 treatment support services~~((, and for the administrative and overhead~~  
30 ~~costs associated with the operation of a drug court.~~

31 ~~(a) No more than ten percent of the total moneys received under~~  
32 ~~subsections (4) and (5) of this section by a county or group of~~  
33 ~~counties participating in a regional agreement shall be spent on the~~  
34 ~~administrative and overhead costs associated with the operation of a~~  
35 ~~drug court.~~

36 ~~(b))~~. No more than ten percent of the total moneys received  
37 under subsections (4) and (5) of this section by a county or group of  
38 counties participating in a regional agreement shall be spent for  
39 treatment support services.

1 (7) Counties are encouraged to consider regional agreements and  
2 submit regional plans for the efficient delivery of treatment under  
3 this section.

4 (8) Moneys allocated under this section shall be used to  
5 supplement, not supplant, other federal, state, and local funds used  
6 for substance abuse treatment.

7 (9) Counties must meet the criteria established in RCW  
8 2.30.030(3).

9 ~~((10) The authority under this section to use funds from the  
10 criminal justice treatment account for the administrative and  
11 overhead costs associated with the operation of a drug court expires  
12 June 30, 2015.))~~

Passed by the House March 5, 2018.

Passed by the Senate March 2, 2018.

Approved by the Governor March 22, 2018.

Filed in Office of Secretary of State March 26, 2018.

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