

SB 5476 - S AMD TO S AMD (S-2939.2/21) **883**
By Senator Rivers

NOT ADOPTED 04/15/2021

1 On page 2, line 28, after "(3)" strike "A" and insert "Except as
2 provided in subsection (4) of this section, a"

3 On page 2, after line 33, insert the following:
4 "(4) A person's fourth violation involving possession is a class
5 C felony punishable according to chapter 9A.20 RCW. The prosecutor
6 may not divert a violation under this subsection."

7 On page 3, line 3, after "69.50.4014" insert "or subsection (3)
8 of this section"

9 On page 3, beginning on line 6, after "(3)" strike all material
10 through "treatment." on line 10 and insert "A person's fourth
11 violation of this section is a class C felony punishable according to
12 chapter 9A.20 RCW. The prosecutor may not divert a violation under
13 this subsection."

14 On page 6, line 17, after "(b)" strike "A" and insert "((A))
15 Except as provided in subsection (4) of this section, a"

16 On page 6, after line 22, insert the following:
17 "(4) A person's fourth violation involving possession is a class
18 C felony punishable according to chapter 9A.20 RCW. The prosecutor
19 may not divert a violation under this subsection."

20 On page 7, line 34, after ""(b)" strike "A" and insert "((A))
21 Except as provided in subsection (4) of this section, a"

22 On page 7, after line 39, insert the following:
23 "(4) A person's fourth violation involving possession is a class
24 C felony punishable according to chapter 9A.20 RCW. The prosecutor
25 may not divert a violation under this subsection."

EFFECT: Elevates a person's 4th violation involving possession of a controlled substance, counterfeit substance, or legend drug as a class C felony that may not be diverted by the prosecutor.

--- **END** ---