

**SSB 5299** - S AMD 411

By Senator Lillas

NOT CONSIDERED 12/23/2019

1 On page 10, line 15, after "**school.**" insert "(a)"

2 On page 10, after line 17, insert the following:

3 "(b) An offender convicted of a violation under RCW 46.61.502(6)  
4 felony driving under the influence or RCW 46.61.504(6) felony  
5 physical control of vehicle under the influence may receive one  
6 day's credit for time served against the standard range at  
7 sentencing for each day of inpatient substance abuse treatment in a  
8 facility certified under chapter 71.24 RCW. The credit is subject to  
9 the following conditions:

10 (i) The maximum credit for inpatient treatment under this  
11 subsection is thirty days.

12 (ii) The inpatient treatment must commence after the offender's  
13 conviction under RCW 46.61.502(6) or 46.61.504(6) but prior to  
14 sentencing for the crime.

15 (iii) The court must find by clear and convincing evidence that  
16 the offender is not at risk to flee or a danger to the community.

17 (iv) The court must order a reasonable bail and related  
18 conditions of release.

19 (v) The offender must be responsible for the cost of treatment  
20 unless the court finds the offender indigent and no third-party  
21 insurance coverage is available."

22  
23 EFFECT: Provides an opportunity for individuals convicted of a  
24 felony impaired driving offense to earn up to 30 days credit against  
25 the standard range of their sentence for attending inpatient  
26 treatment prior to sentencing.

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