**1114 AMS LAW S2327.1 - NOT FOR FLOOR USE**

**HB 1114** - S COMM AMD

By Committee on Law & Justice

**ADOPTED 03/31/2023**

Strike everything after the enacting clause and insert the following:

**"Sec.**  RCW 9.94A.860 and 2016 c 179 s 3 are each amended to read as follows:

(1) The sentencing guidelines commission is hereby created, located within the office of financial management. Except as provided in RCW 9.94A.875, the commission shall serve to advise the governor and the legislature as necessary on issues relating to adult and juvenile sentencing. The commission may meet, as necessary, to accomplish these purposes within funds appropriated.

(2) The commission consists of ((~~twenty~~)) 25 voting members, one of whom the governor shall designate as ((~~chairperson~~)) chair. With the exception of ex officio voting members, the voting members of the commission shall be appointed by the governor, or his or her designee, subject to confirmation by the senate.

(3) The voting membership consists of the following:

(a) The head of the state agency having general responsibility for adult correction programs, as an ex officio member;

(b) The director of financial management or designee, as an ex officio member;

(c) The chair of the indeterminate sentence review board, as an ex officio member;

(d) The head of the state agency, or the agency head's designee, having responsibility for juvenile corrections programs, as an ex officio member;

(e) Two prosecuting attorneys;

(f) Two attorneys with particular expertise in defense work;

(g) Four persons who are superior court judges;

(h) One person who is the chief law enforcement officer of a county or city;

(i) ((~~Four~~)) Five members of the public who are not prosecutors, defense attorneys, judges, or law enforcement officers, one of whom is a victim of crime, one of whom is a victim of crime or a crime victims' advocate, and one of whom has been formerly incarcerated in the state correctional system;

(j) One person who is an elected official of a county government, other than a prosecuting attorney or sheriff;

(k) One person who is an elected official of a city government;

(l) One person who is an administrator of juvenile court services;

(m) The chair of the state supreme court minority and justice commission or designee, as an ex officio member;

(n) One person representing the interests of tribes;

(o) One behavioral health professional with experience working in the criminal justice system; and

(p) One person with knowledge of and expertise in academic research in the field of criminology or sociology.

In making the appointments, the governor shall endeavor to assure that the commission membership includes adequate representation and expertise relating to both the adult criminal justice system and the juvenile justice system. In making the appointments, the governor shall seek the recommendations of Washington prosecutors in respect to the prosecuting attorney members, of the Washington state bar association in respect to the defense attorney members, of the superior court judges' association in respect to the members who are judges, of the Washington association of sheriffs and police chiefs in respect to the member who is a law enforcement officer, of the Washington state association of counties in respect to the member who is a county official, of the association of Washington cities in respect to the member who is a city official, of the office of crime victims advocacy and other organizations of crime victims in respect to the member who is a victim of crime or a crime victims' advocate, ((~~and~~)) of the Washington association of juvenile court administrators in respect to the member who is an administrator of juvenile court services, and of the Washington state institute for public policy and the relevant departments of the Washington State University and University of Washington in respect to the member with knowledge of and expertise in academic research in the field of criminology or sociology.

(4)(a) ((~~All~~)) Except as provided in (b) of this subsection, all voting members of the commission, except ex officio voting members, shall serve terms of three years and until their successors are appointed and confirmed.

(b) The governor shall stagger the initial terms of the members appointed under subsection (3)((~~(j), (k), and (l)~~)) (n), (o), and (p) of this section by appointing one of them for a term of one year, one of them for a term of two years, and one of them for a term of three years.

(5) The speaker of the house of representatives and the president of the senate may each appoint two nonvoting members to the commission, one from each of the two largest caucuses in each house. The members so appointed shall serve two-year terms, or until they cease to be members of the house from which they were appointed, whichever occurs first.

(6) The members of the commission may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Legislative members may be reimbursed by their respective houses as provided under RCW 44.04.120. Except for the reimbursement of travel expenses, members shall not be compensated."

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On page 1, line 2 of the title, after "commission;" strike the remainder of the title and insert "and amending RCW 9.94A.860."

EFFECT: Adds a 25th voting member to the sentencing guidelines commission who must be a member of the public who is not a prosecutor, defense attorney, judge, or law enforcement officer and who is a victim of crime.