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**HOUSE BILL 1813**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Representatives Griffey, Doglio, Robertson, Couture, Stokesbary, Volz, Chambers, Sandlin, Mosbrucker, Christian, Jacobsen, McClintock, Graham, Connors, and Barkis

Read first time 02/10/23. Referred to Committee on Community Safety, Justice, & Reentry.

1 AN ACT Relating to establishing a moratorium on the siting and  
2 use of secure community transition facilities pending recommendations  
3 of a joint legislative work group; creating new sections; providing  
4 expiration dates; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** (1) Conditional release to a less  
7 restrictive alternative and siting of future secure community  
8 transition facilities shall be temporarily prohibited.

9 (2) The courts and department of social and health services are  
10 temporarily prohibited from authorizing conditional release to a less  
11 restrictive alternative placement pursuant to RCW 71.09.090,  
12 71.09.092, 71.09.094, 71.09.096, 71.09.097, 71.09.280, and 71.09.345,  
13 subject to the following exceptions:

14 (a) The courts and department of social and health services may  
15 continue to place civilly committed sex offenders in the secure  
16 community transition facility in south Seattle in King county; and

17 (b) The courts and department of social and health services may  
18 continue to place civilly committed sex offenders in the secure  
19 community transition facility located on McNeil Island in Pierce  
20 county.

1 (3) The department of social and health services and secretary of  
2 social and health services are temporarily prohibited from siting,  
3 constructing, or entering into any contracts with effective dates on  
4 or after the effective date of this section regarding secure  
5 community transition facilities pursuant to RCW 71.09.099, 71.09.250,  
6 71.09.252, 71.09.255, 71.09.343, and 71.09.344, except for unused  
7 facilities on McNeil Island. The department and secretary may develop  
8 additional facilities on McNeil Island during the temporary  
9 prohibition.

10 (4) This section expires June 30, 2025.

11 NEW SECTION. **Sec. 2.** (1)(a) A legislative work group on siting  
12 secure community transition facilities is established, with the  
13 following members:

14 (i) The president of the senate shall appoint one member from  
15 each of the two largest caucuses of the senate. At least one member  
16 must be a member of the senate law and justice committee, and at  
17 least one member must be a member of the senate human services  
18 committee;

19 (ii) The speaker of the house of representatives shall appoint  
20 two members from each of the two largest caucuses of the house of  
21 representatives. The house community safety, justice, and reentry  
22 committee, civil rights and judiciary committee, and local government  
23 committee must each be represented;

24 (iii) The president of the senate and the speaker of the house of  
25 representatives jointly shall appoint six members representing two  
26 survivors of violent sex crimes, the office of crime victims  
27 advocacy, the Washington association of sheriffs and police chiefs, a  
28 licensed sex offender treatment provider, and the Washington state  
29 association of counties;

30 (iv) The secretary of the department of social and health  
31 services shall appoint one member representing the department of  
32 social and health services;

33 (v) The secretary of the department of corrections shall appoint  
34 one member representing the department of corrections; and

35 (vi) The sex offender policy board shall appoint one member  
36 representing the sex offender policy board.

37 (b) The ranking member of the work group from the house community  
38 safety, justice, and reentry committee shall convene the initial  
39 meeting of the work group.

1 (i) The work group shall choose its chair and cochair from among  
2 its legislative membership.

3 (ii) The work group may select other officers from among its  
4 members as the work group deems appropriate.

5 (2) The work group shall:

6 (a) Evaluate the siting criteria for secure community transition  
7 facilities, including opportunities for local control of siting by  
8 counties and cities;

9 (b) Evaluate the requirements of chapter 71.09 RCW and recommend  
10 amendments to implement the work group's recommendations;

11 (c) Identify recommendations to ensure the equitable distribution  
12 of secure community transition facilities statewide;

13 (d) Identify recommendations for public notification, awareness,  
14 and opportunities for review and comment in communities affected by  
15 the siting of secure community transition facilities;

16 (e) Identify recommendations for the security and safety of  
17 residents of communities affected by the siting of secure community  
18 transition facilities; and

19 (f) Identify recommendations for less restrictive alternative  
20 security measures, staff ratios, and staff and chaperone training.

21 (3) The work group shall hold at least six meetings, at least two  
22 of which must be in eastern Washington. The first meeting of the work  
23 group must occur by August 31, 2023.

24 (4) Staff support for the work group must be provided by the  
25 senate committee services and the house of representatives office of  
26 program research.

27 (5) State agencies, departments, and commissions shall cooperate  
28 with the work group and provide information as the chair or cochair  
29 may reasonably request.

30 (6) Legislative members of the work group are reimbursed for  
31 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
32 members are not entitled to be reimbursed for travel expenses if they  
33 are elected officials or are participating on behalf of an employer,  
34 governmental entity, or other organization. Any reimbursement for  
35 nonlegislative members is subject to chapter 43.03 RCW.

36 (7) The expenses of the work group shall be paid jointly by the  
37 senate and the house of representatives. Work group expenditures are  
38 subject to approval by the senate facilities and operations committee  
39 and the house executive rules committee, or their successor  
40 committees.

1 (8) The work group shall report its findings and recommendations  
2 by June 30, 2024, to the governor and relevant committees of the  
3 legislature.

4 (a) Recommendations of the work group may be made by a simple  
5 majority of work group members.

6 (b) In the event that the work group does not reach majority-  
7 supported recommendations, the work group may report minority  
8 recommendations supported by at least two members of the work group.

9 (c) Notice of the completion of the findings and recommendations  
10 required in this subsection must be published in the Washington State  
11 Register by June 30, 2024.

12 (9) This section expires December 31, 2024.

13 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of  
15 the state government and its existing public institutions, and takes  
16 effect immediately.

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