

1 2319-S2.E AMS NELS S5236.4

2 **E2SHB 2319** - S AMD TO S AMD (S-5375.4/94) 506

3 By Senators Nelson, L. Smith, Anderson, McDonald and Schow

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5 On page 26, after line 14 of the amendment, insert the following:

6 "NEW SECTION. Sec. 401. A new section is added to chapter 10.19  
7 RCW to read as follows:

8 Notwithstanding superior court criminal rule CrR 3.2, a criminal  
9 defendant shall not be bailable if the court determines by a  
10 preponderance of the evidence that the defendant is likely to pose a  
11 danger to the safety of any other person or the community at large if  
12 the defendant is released.

13 NEW SECTION. Sec. 402. Section 401 of this act shall take effect  
14 if the proposed amendment to Article I, section 20 of the state  
15 Constitution authorizing the courts to refuse bail when the accused is  
16 likely upon release to pose a danger is validly submitted to and is  
17 approved and ratified by the voters at the next general election. If  
18 the proposed amendment is not so approved and ratified, section 401 of  
19 this act is void in its entirety."

20 Renumber the remaining sections consecutively and correct internal  
21 references accordingly.

22 **E2SHB 2319** - S AMD TO S AMD (S-5375.4/94)

23 By Senator

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25 On page 160, line 2 of the title amendment, after "43.20A RCW;"  
26 insert "adding a new section to chapter 10.19 RCW;"

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