

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1983

Chapter 179, Laws of 2024

68th Legislature
2024 Regular Session

CRIMINAL JUSTICE TREATMENT ACCOUNT—ALLOWED USES

EFFECTIVE DATE: June 6, 2024

Passed by the House February 8, 2024
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 28,
2024
Yeas 47 Nays 0

DENNY HECK

President of the Senate

Approved March 19, 2024 9:45 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1983** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 19, 2024

**Secretary of State
State of Washington**

HOUSE BILL 1983

Passed Legislature - 2024 Regular Session

State of Washington

68th Legislature

2024 Regular Session

By Representatives Simmons, Goodman, Reed, and Davis

Prefiled 12/19/23. Read first time 01/08/24. Referred to Committee on Appropriations.

1 AN ACT Relating to the criminal justice treatment account; and
2 amending RCW 71.24.580.

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

4 **Sec. 1.** RCW 71.24.580 and 2023 c 475 s 941 are each amended to
5 read as follows:

6 (1) The criminal justice treatment account is created in the
7 state treasury. Moneys in the account may be expended solely for: (a)
8 Substance use disorder treatment and treatment support services for
9 offenders with a substance use disorder that, if not treated, would
10 result in addiction, against whom charges are filed by a prosecuting
11 attorney in Washington state; (b) the provision of substance use
12 disorder treatment services and treatment support services for
13 nonviolent offenders within a drug court program and(~~(, during the~~
14 ~~2021-2023 and 2023-2025 fiscal biennia,~~)) for 180 days following
15 graduation from the drug court program; and (c) the administrative
16 and overhead costs associated with the operation of a drug court.
17 Amounts provided in this subsection must be used for treatment and
18 recovery support services for criminally involved offenders and
19 authorization of these services shall not be subject to
20 determinations of medical necessity. (~~During the 2019-2021 and~~
21 ~~2021-2023 fiscal biennia, funding from the criminal justice treatment~~

1 ~~account may be used to provide treatment and support services through~~
2 ~~the conclusion of an individual's treatment plan to individuals~~
3 ~~participating in a drug court program as of February 24, 2021, if~~
4 ~~that individual wishes to continue treatment following dismissal of~~
5 ~~charges they were facing under RCW 69.50.4013(1). Such participation~~
6 ~~is voluntary and contingent upon substantial compliance with drug~~
7 ~~court program requirements. The legislature may appropriate from the~~
8 ~~account for municipal drug courts and increased treatment options.~~
9 ~~During the 2019-2021 fiscal biennium, the legislature may direct the~~
10 ~~state treasurer to make transfers of moneys in the criminal justice~~
11 ~~treatment account to the home security fund account created in RCW~~
12 ~~43.185C.060.) Moneys in the account may be spent only after~~
13 ~~appropriation.~~

14 (2) For purposes of this section:

15 (a) "Treatment" means services that are critical to a
16 participant's successful completion of his or her substance use
17 disorder treatment program, including but not limited to the recovery
18 support and other programmatic elements outlined in RCW 2.30.030
19 authorizing therapeutic courts; and

20 (b) "Treatment support" includes transportation to or from
21 inpatient or outpatient treatment services when no viable alternative
22 exists, and child care services that are necessary to ensure a
23 participant's ability to attend outpatient treatment sessions.

24 (3) Revenues to the criminal justice treatment account consist
25 of: (a) Funds transferred to the account pursuant to this section;
26 and (b) any other revenues appropriated to or deposited in the
27 account.

28 (4) (a) For the fiscal year beginning July 1, 2005, and each
29 subsequent fiscal year, the state treasurer shall transfer eight
30 million two hundred fifty thousand dollars from the general fund to
31 the criminal justice treatment account, divided into four equal
32 quarterly payments. For the fiscal year beginning July 1, 2006, and
33 each subsequent fiscal year, the amount transferred shall be
34 increased on an annual basis by the implicit price deflator as
35 published by the federal bureau of labor statistics.

36 (b) In each odd-numbered year, the legislature shall appropriate
37 the amount transferred to the criminal justice treatment account in
38 (a) of this subsection to the department for the purposes of
39 subsection (5) of this section.

1 (5) Moneys appropriated to the authority from the criminal
2 justice treatment account shall be distributed as specified in this
3 subsection. The authority may retain up to three percent of the
4 amount appropriated under subsection (4)(b) of this section for its
5 administrative costs.

6 (a) Seventy percent of amounts appropriated to the authority from
7 the account shall be distributed to counties pursuant to the
8 distribution formula adopted under this section. The authority, in
9 consultation with the department of corrections, the Washington state
10 association of counties, the Washington state association of drug
11 court professionals, the superior court judges' association, the
12 Washington association of prosecuting attorneys, representatives of
13 the criminal defense bar, representatives of substance use disorder
14 treatment providers, and any other person deemed by the authority to
15 be necessary, shall establish a fair and reasonable methodology for
16 distribution to counties of moneys in the criminal justice treatment
17 account. County or regional plans submitted for the expenditure of
18 formula funds must be approved by the panel established in (b) of
19 this subsection.

20 (b) Thirty percent of the amounts appropriated to the authority
21 from the account shall be distributed as grants for purposes of
22 treating offenders against whom charges are filed by a county
23 prosecuting attorney. The authority shall appoint a panel of
24 representatives from the Washington association of prosecuting
25 attorneys, the Washington association of sheriffs and police chiefs,
26 the superior court judges' association, the Washington state
27 association of counties, the Washington defender's association or the
28 Washington association of criminal defense lawyers, the department of
29 corrections, the Washington state association of drug court
30 professionals, and substance use disorder treatment providers. The
31 panel shall review county or regional plans for funding under (a) of
32 this subsection and grants approved under this subsection. The panel
33 shall attempt to ensure that treatment as funded by the grants is
34 available to offenders statewide.

35 (6) The county alcohol and drug coordinator, county prosecutor,
36 county sheriff, county superior court, a substance abuse treatment
37 provider appointed by the county legislative authority, a member of
38 the criminal defense bar appointed by the county legislative
39 authority, and, in counties with a drug court, a representative of
40 the drug court shall jointly submit a plan, approved by the county

1 legislative authority or authorities, to the panel established in
2 subsection (5)(b) of this section, for disposition of all the funds
3 provided from the criminal justice treatment account within that
4 county. The submitted plan should incorporate current evidence-based
5 practices in substance use disorder treatment. The funds shall be
6 used solely to provide approved alcohol and substance use disorder
7 treatment pursuant to RCW 71.24.560 and treatment support services.
8 No more than ten percent of the total moneys received under
9 subsections (4) and (5) of this section by a county or group of
10 counties participating in a regional agreement shall be spent for
11 treatment support services.

12 (7) Counties are encouraged to consider regional agreements and
13 submit regional plans for the efficient delivery of treatment under
14 this section.

15 (8) Moneys allocated under this section shall be used to
16 supplement, not supplant, other federal, state, and local funds used
17 for substance abuse treatment.

18 (9) If a region or county uses criminal justice treatment account
19 funds to support a therapeutic court, the therapeutic court must
20 allow the use of all medications approved by the federal food and
21 drug administration for the treatment of opioid use disorder as
22 deemed medically appropriate for a participant by a medical
23 professional. If appropriate medication-assisted treatment resources
24 are not available or accessible within the jurisdiction, the health
25 care authority's designee for assistance must assist the court with
26 acquiring the resource.

27 (10) Counties must meet the criteria established in RCW
28 2.30.030(3).

29 (11) The authority shall annually review and monitor the
30 expenditures made by any county or group of counties that receives
31 appropriated funds distributed under this section. Counties shall
32 repay any funds that are not spent in accordance with the
33 requirements of its contract with the authority.

Passed by the House February 8, 2024.
Passed by the Senate February 28, 2024.
Approved by the Governor March 19, 2024.
Filed in Office of Secretary of State March 19, 2024.

--- END ---