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## Community Safety Committee

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### HB 1968

**Brief Description:** Concerning endangerment with a controlled substance.

**Sponsors:** Representatives Rule, Parshley, Walen, Jacobsen, Kloba, Callan, Tharinger and Nance.

#### Brief Summary of Bill

- Expands the crime of Endangerment with a Controlled Substance to include certain circumstances involving nondependent children, absorption as the means of endangerment, or fentanyl or synthetic opioids.
- Exempts the Department of Children, Youth, and Families and its employees, interns, volunteers, and contractors from criminal liability for Endangerment with a Controlled Substance while acting in the scope of their roles.

**Hearing Date:** 2/17/25

**Staff:** Corey Patton (786-7388).

#### Background:

A person commits Endangerment with a Controlled Substance if the person knowingly or intentionally permits a dependent child or dependent adult to be exposed to, ingest, inhale, or have contact with methamphetamine or ephedrine, pseudoephedrine, or anhydrous ammonia, including their salts, isomers, and salts of isomers, that are being used to manufacture methamphetamine. A dependent person is a person who, because of physical or mental disability, or because of extreme advanced age, is dependent upon another person to provide the basic necessities of life. Endangerment with a Controlled Substance is a class B felony ranked at

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seriousness level IV, and is punishable by a maximum penalty of 10 years imprisonment, a \$20,000 fine, or both such imprisonment and fine.

Synthetic opioids are artificially created substances that act on the same neurological processes as natural opioids, which are based on naturally occurring substances derived from the poppy plant. Some synthetic opioids, such as fentanyl, are approved for medical use if prescribed by an authorized health care provider.

The Department of Children, Youth, and Families (DCYF) is the lead agency for certain state-funded services that support children and families. The DCYF oversees several services and programs, including Child Protective Services' investigations, family assessment response, licensed foster care, adoption support, Working Connections Child Care, home visiting, and juvenile rehabilitation.

**Summary of Bill:**

The crime of Endangerment with a Controlled Substance is expanded to include circumstances involving any of the following:

- endangerment of a child, regardless of whether the child is a dependent;
- absorption of a specified controlled substance as the means of endangerment; or
- fentanyl or synthetic opioids, or the smoke of a substance which the person committing the offense knows or reasonably should know contains fentanyl or synthetic opioids, except for medications administered or provided during the delivery of health care services or pursuant to a valid prescription.

The Department of Children, Youth, and Families and its employees, interns, volunteers, and contractors are exempt from criminal liability for Endangerment with a Controlled Substance while acting in the scope of their roles.

**Appropriation:** None.

**Fiscal Note:** Requested on February 13, 2025.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.