

---

**SUBSTITUTE HOUSE BILL 1113**

---

**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** House Community Safety (originally sponsored by Representatives Farivar, Goodman, Simmons, Taylor, Macri, Scott, Fosse, Street, Reed, Senn, Berry, Alvarado, Morgan, Mena, Peterson, Stonier, Walen, Pollet, Wylie, Cortes, Obras, Gregerson, Ormsby, Bergquist, Salahuddin, and Hill)

READ FIRST TIME 02/13/25.

1 AN ACT Relating to accountability and access to services for  
2 individuals charged with a misdemeanor; amending RCW 46.20.270;  
3 adding a new chapter to Title 10 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** This act shall be known and may be cited  
6 as the public supporting accountability and fast, effective treatment  
7 act, or public SAFE-T act.

8 NEW SECTION. **Sec. 2.** (1) In a court of limited jurisdiction,  
9 the court may, upon the motion of either party, agree to dismiss a  
10 defendant's simple misdemeanor or gross misdemeanor charge pursuant  
11 to the following:

12 (a) The court may continue a case pursuant to a defendant's  
13 agreement to waive speedy trial in anticipation of dismissal  
14 following court-ordered conditions for a period not to exceed 12  
15 months and order the defendant to comply with terms, conditions, or  
16 programs that the court deems appropriate based on the defendant's  
17 specific situation. The court shall hear from both parties and rule  
18 on the motion in open court.

1 (b) (i) If the defendant has substantially complied with the  
2 imposed terms and conditions, the court shall dismiss the charges  
3 pending against the defendant at the end of the continuance period.

4 (ii) Full restitution must be a required condition for the  
5 dismissal of charges. However, a defendant's inability to pay  
6 restitution due to indigence may not be grounds for denial of this  
7 dismissal following progress towards complying with court-ordered  
8 conditions or as a basis for finding that the defendant has failed to  
9 substantially comply with the court's conditions.

10 (c) If it appears to the prosecuting attorney that the defendant  
11 is not substantially complying with the terms and conditions, after  
12 providing the defendant with written notice of the alleged violations  
13 and disclosure of all evidence to be offered against the defendant,  
14 the court shall hold a hearing to determine whether the defendant  
15 has, by a preponderance of the evidence, willfully failed to  
16 substantially comply with the terms and conditions set by the court.  
17 At that hearing:

18 (i) The rules of evidence do not apply, but the defendant must be  
19 afforded the due process rights required for the revocation of  
20 probation, including the right to confront and cross-examine all  
21 witnesses;

22 (ii) The defendant must have the opportunity to be heard in  
23 person and to present evidence; and

24 (iii) If the court finds by a preponderance of the evidence that  
25 the defendant is willfully failing to substantially comply with the  
26 terms and conditions, the court may either continue the hearing to  
27 provide additional time for substantial compliance or end the period  
28 of continuance pending dismissal and set a new commencement date.

29 (d) If the court agrees to dismiss a defendant's simple  
30 misdemeanor or gross misdemeanor charge, any written confirmation of  
31 completion of an assessment or statement indicating the defendant's  
32 enrollment or referral to a specific service or program, or any  
33 written updates regarding treatment or services, must be considered a  
34 treatment evaluation or compliance form ordered by the court for  
35 purposes of Washington state rules of court, General Rule GR 22.

36 (e) Admissions made by the defendant in the course of receiving  
37 treatment or services pursuant to the agreement to dismiss may not be  
38 used against the defendant in the prosecution's case-in-chief.

1 (2) A charge may not be dismissed pursuant to this section for  
2 any of the following offenses or any violations of equivalent local  
3 ordinances:

4 (a) Any offense that would constitute a prior offense as defined  
5 in RCW 46.61.5055 upon conviction;

6 (b) Reckless driving under RCW 46.61.500;

7 (c) Racing under RCW 46.61.530;

8 (d) Reckless endangerment of roadway workers under RCW  
9 46.61.527(4);

10 (e) Negligent driving in the first degree under RCW 46.61.5249;

11 (f) Negligent driving in the second degree under RCW 46.61.525;

12 (g) Negligent driving in the second degree with a vulnerable user  
13 victim under RCW 46.61.526;

14 (h) Hit and run (unattended vehicle or property) under RCW  
15 46.52.010;

16 (i) Hit and run (attended vehicle or property) under RCW  
17 46.52.020(5);

18 (j) Hit and run (striking a deceased person) under RCW  
19 46.52.020(4)(c);

20 (k) A domestic violence offense involving an intimate partner as  
21 defined in RCW 7.105.010;

22 (l) Stalking under RCW 9A.46.110(5)(a);

23 (m) Violation of a domestic violence protection order, sexual  
24 assault protection order, stalking protection order, or vulnerable  
25 adult protection order; an order issued under chapter 9A.40, 9A.44,  
26 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW; a valid  
27 foreign protection order as described in RCW 26.52.020; or a Canadian  
28 domestic violence protection order as defined in RCW 26.55.010;

29 (n) Aiming or discharging firearms under RCW 9.41.230;

30 (o) Hazing under RCW 28B.10.901(2)(a);

31 (p) Animal cruelty in the second degree under RCW 16.52.207;

32 (q) Assault in the fourth degree under RCW 9A.36.041;

33 (r) Any offense with a finding of sexual motivation under RCW  
34 9.94A.835 or 13.40.135;

35 (s) Communication with a minor or someone believed to be a minor  
36 for immoral purposes under RCW 9.68A.090(1);

37 (t) Harassment under RCW 9A.46.020(2)(a);

38 (u) Cyber harassment under RCW 9A.90.120(2)(a), excluding cyber  
39 harassment committed solely pursuant to the element set forth in RCW  
40 9A.90.120(1)(a)(i);

- 1 (v) Unlawful carrying or handling of a firearm under RCW  
2 9.41.270;
- 3 (w) Indecent exposure under RCW 9A.88.010(2) (a) or (b);  
4 (x) Disclosing intimate images under RCW 9A.86.010(7) (a);  
5 (y) Abandonment of a dependent person in the third degree under  
6 RCW 9A.42.080;
- 7 (z) Leaving a child in the care of a sex offender under RCW  
8 9A.42.110;
- 9 (aa) Criminal mistreatment in the third degree under RCW  
10 9A.42.035;
- 11 (bb) Criminal mistreatment in the fourth degree under RCW  
12 9A.42.037;
- 13 (cc) Interfering with the reporting of domestic violence under  
14 RCW 9A.36.150;
- 15 (dd) Reckless endangerment under RCW 9A.36.050;
- 16 (ee) A violation of the provisions of an order to surrender and  
17 prohibit weapons, an extreme risk protection order, or any other  
18 protection order or no-contact order restraining the person or  
19 excluding the person from a residence;
- 20 (ff) Any traffic offense involving a commercial driver's license  
21 or a commercial learner's permit, or involving the operation of a  
22 commercial motor vehicle; or
- 23 (gg) Any offense that was originally filed as a felony charge and  
24 subsequently amended to, or refiled as, a gross misdemeanor or  
25 misdemeanor charge.

26 **Sec. 3.** RCW 46.20.270 and 2024 c 308 s 2 are each amended to  
27 read as follows:

28 (1) Every court having jurisdiction over offenses committed under  
29 this chapter, or any other act of this state or municipal ordinance  
30 adopted by a local authority regulating the operation of motor  
31 vehicles on highways, or any federal authority having jurisdiction  
32 over offenses substantially the same as those set forth in this title  
33 which occur on federal installations within this state, shall  
34 immediately forward to the department a forfeiture of bail or  
35 collateral deposited to secure the defendant's appearance in court, a  
36 payment of a fine, penalty, or court cost, a plea of guilty or nolo  
37 contendere or a finding of guilt, or a finding that any person has  
38 committed a traffic infraction an abstract of the court record in the  
39 form prescribed by rule of the supreme court, showing the conviction

1 of any person or the finding that any person has committed a traffic  
2 infraction in said court for a violation of any said laws other than  
3 regulations governing standing, stopping, parking, and pedestrian  
4 offenses.

5 (2) Every state agency or municipality having jurisdiction over  
6 offenses committed under this chapter, or under any other act of this  
7 state or municipal ordinance adopted by a state or local authority  
8 regulating the operation of motor vehicles on highways, may forward  
9 to the department within 10 days of failure to respond, failure to  
10 pay a penalty, failure to appear at a hearing to contest the  
11 determination that a violation of any statute, ordinance, or  
12 regulation relating to standing, stopping, parking, or civil  
13 penalties issued under RCW 46.63.160 or 46.63.200 has been committed,  
14 or failure to appear at a hearing to explain mitigating  
15 circumstances, an abstract of the citation record in the form  
16 prescribed by rule of the department, showing the finding by such  
17 municipality that two or more violations of laws governing standing,  
18 stopping, and parking or one or more civil penalties issued under RCW  
19 46.63.160 or 46.63.200 have been committed and indicating the nature  
20 of the defendant's failure to act. Such violations or infractions may  
21 not have occurred while the vehicle is stolen from the registered  
22 owner. The department may enter into agreements of reciprocity with  
23 the duly authorized representatives of the states for reporting to  
24 each other violations of laws governing standing, stopping, and  
25 parking.

26 (3) For the purposes of this title and except as defined in RCW  
27 46.25.010, "conviction" means a final conviction in a state or  
28 municipal court or by any federal authority having jurisdiction over  
29 offenses substantially the same as those set forth in this title  
30 which occur on federal installations in this state, an unvacated  
31 forfeiture of bail or collateral deposited to secure a defendant's  
32 appearance in court, the payment of a fine or court cost, a plea of  
33 guilty or nolo contendere, or a finding of guilt on a traffic law  
34 violation charge, regardless of whether the imposition of sentence or  
35 sanctions are deferred or the penalty is suspended, but not including  
36 entry into a deferred prosecution agreement under chapter 10.05 RCW  
37 or entry into a judicially authorized dismissal of a misdemeanor or  
38 gross misdemeanor following substantial compliance with court-ordered  
39 conditions under section 2 of this act.

1 (4) Perfection of a notice of appeal shall stay the execution of  
2 the sentence pertaining to the withholding of the driving privilege.

3 (5) For the purposes of this title, "finding that a traffic  
4 infraction has been committed" means a failure to respond to a notice  
5 of infraction or a determination made by a court pursuant to this  
6 chapter. Payment of a monetary penalty made pursuant to RCW  
7 46.63.070(2) is deemed equivalent to such a finding.

8 NEW SECTION. **Sec. 4.** Section 2 of this act constitutes a new  
9 chapter in Title 10 RCW.

--- END ---