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**SECOND SUBSTITUTE HOUSE BILL 1359**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Thai, Abbarno, Eslick, Goodman, and Davis)

READ FIRST TIME 02/28/25.

1 AN ACT Relating to reviewing laws related to criminal insanity  
2 and competency to stand trial; adding new sections to chapter 10.77  
3 RCW; creating new sections; recodifying RCW 10.77.020, 10.77.027,  
4 10.77.0942, 10.77.095, 10.77.097, 10.77.210, 10.77.230, 10.77.240,  
5 10.77.250, 10.77.255, 10.77.260, 10.77.270, 10.77.275, 10.77.280,  
6 10.77.300, 10.77.145, 10.77.163, 10.77.165, 10.77.205, 10.77.207,  
7 10.77.060, 10.77.065, 10.77.070, 10.77.100, 10.77.025, 10.77.030,  
8 10.77.040, 10.77.080, 10.77.091, 10.77.094, 10.77.110, 10.77.120,  
9 10.77.132, 10.77.140, 10.77.150, 10.77.152, 10.77.155, 10.77.160,  
10 10.77.170, 10.77.175, 10.77.180, 10.77.190, 10.77.195, 10.77.200,  
11 10.77.220, 10.77.050, 10.77.068, 10.77.072, 10.77.074, 10.77.075,  
12 10.77.079, 10.77.084, 10.77.0845, 10.77.086, 10.77.088, 10.77.0885,  
13 10.77.089, 10.77.092, 10.77.093, 10.77.202, and 10.77.320;  
14 decodifying RCW 10.77.2101, 10.77.290, 10.77.310, 10.77.940, and  
15 10.77.950; and providing an expiration date.

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

17 NEW SECTION. **Sec. 1.** (1)(a) A task force to review laws related  
18 to criminal insanity and competency to stand trial is established,  
19 with members as provided in this subsection.

20 (i) The secretary of the department of social and health services  
21 or the secretary's designee;

- 1 (ii) The secretary of the department of corrections or the  
2 secretary's designee;
- 3 (iii) The director of the health care authority or the director's  
4 designee;
- 5 (iv) The Washington state attorney general or the attorney  
6 general's designee;
- 7 (v) The director of the Washington state office of public defense  
8 or the director's designee; and
- 9 (vi) The department of social and health services shall appoint  
10 19 members representing the following:
- 11 (A) One member representing superior courts, to be designated by  
12 the Washington state superior court judges association;
- 13 (B) One member representing courts of limited jurisdiction, to be  
14 designated by the Washington state district and municipal courts  
15 judges association;
- 16 (C) One member representing prosecutors, to be designated by the  
17 Washington association of prosecuting attorneys;
- 18 (D) One member representing trial-level criminal defense  
19 attorneys, to be designated by the Washington defender association;
- 20 (E) One member representing law enforcement, to be designated by  
21 the Washington association of sheriffs and police chiefs;
- 22 (F) One member representing the interests of victims, to be  
23 designated by the office of crime victims advocacy;
- 24 (G) One member designated by disability rights Washington;
- 25 (H) One member designated by the national alliance on mental  
26 illness Washington;
- 27 (I) One member designated by the plaintiff's counsel in *A.B., by*  
28 *and through Trueblood, et al., v. DSHS, et al.*, No. 15-35462  
29 ("*Trueblood*");
- 30 (J) A representative of a behavioral health administrative  
31 services organization;
- 32 (K) A representative of a medicaid managed care organization;
- 33 (L) A representative of county governments, to be designated by  
34 the Washington state association of counties;
- 35 (M) A representative of city governments, to be designated by the  
36 association of Washington cities;
- 37 (N) A labor representative, to be designated by the Washington  
38 federation of state employees;
- 39 (O) A representative of western state hospital;
- 40 (P) A representative of eastern state hospital; and

1 (Q) Three individuals with direct lived experience of the  
2 forensic mental health system, including at least one person who is a  
3 former competency restoration patient and at least one person with  
4 experience of commitment related to criminal insanity.

5 (b) The task force shall choose its cochairs from among its  
6 membership. The Washington state association of counties shall  
7 convene the initial meeting of the task force.

8 (2) The task force shall undertake the following tasks:

9 (a) A comprehensive review of the laws in chapter 10.77 RCW to  
10 modernize and clean up issues that present barriers to  
11 administration, public safety, consistency, fairness, efficiency, and  
12 comprehension by victims, committed individuals, families, and the  
13 courts;

14 (b) Consider potential terminology and language changes to  
15 promote patient-centered language, improve coherence between legal  
16 and medical terminology, reduce stigma, and improve understanding of  
17 the competency evaluation process; and

18 (c) Make recommendations concerning law changes that would remove  
19 barriers to diversion, promote effective treatment, and increase  
20 services that would facilitate safe and responsible hospital  
21 discharges.

22 (3) The task force may form subcommittees to assist its work. The  
23 task force may contract with additional persons with specific  
24 technical expertise if necessary to carry out the mandates of the  
25 study. Such contracts may only be entered if an appropriation is  
26 specifically provided for this purpose.

27 (4) Staff support for the task force must be provided by the  
28 Washington state association of counties. The Washington state  
29 association of counties must provide reporting under RCW 43.18A.030.

30 (5) All meetings of the task force must be held in a virtual  
31 format.

32 (6) The task force shall report its findings and recommendations  
33 to the governor and the appropriate committees of the legislature by  
34 December 1, 2026.

35 (7) This section expires December 31, 2026.

36 NEW SECTION. **Sec. 2.** (1) The code reviser shall recodify, as  
37 necessary, the following sections of chapter 10.77 RCW in the  
38 following order within chapter 10.77 RCW, using the indicated chapter  
39 headings:

1	Definitions
2	RCW 10.77.010
3	General Provisions
4	RCW 10.77.020
5	RCW 10.77.027
6	RCW 10.77.0942
7	RCW 10.77.095
8	RCW 10.77.097
9	RCW 10.77.210
10	RCW 10.77.230
11	RCW 10.77.240
12	RCW 10.77.250
13	RCW 10.77.255
14	RCW 10.77.260
15	RCW 10.77.270
16	RCW 10.77.275
17	RCW 10.77.280
18	RCW 10.77.300
19	Authorized Leave and Furloughs
20	RCW 10.77.145
21	RCW 10.77.163
22	Community Notifications
23	RCW 10.77.165
24	RCW 10.77.205
25	RCW 10.77.207
26	Evaluations Under This Chapter
27	RCW 10.77.060
28	RCW 10.77.065
29	RCW 10.77.070
30	RCW 10.77.100
31	Criminal Insanity
32	RCW 10.77.025
33	RCW 10.77.030
34	RCW 10.77.040
35	RCW 10.77.080
36	RCW 10.77.091
37	RCW 10.77.094
38	RCW 10.77.110
39	RCW 10.77.120
40	RCW 10.77.132

1 RCW 10.77.140  
2 RCW 10.77.150  
3 RCW 10.77.152  
4 RCW 10.77.155  
5 RCW 10.77.160  
6 RCW 10.77.170  
7 RCW 10.77.175  
8 RCW 10.77.180  
9 RCW 10.77.190  
10 RCW 10.77.195  
11 RCW 10.77.200  
12 RCW 10.77.220  
13 Competency to Stand Trial  
14 RCW 10.77.050  
15 RCW 10.77.068  
16 RCW 10.77.072  
17 RCW 10.77.074  
18 RCW 10.77.075  
19 RCW 10.77.078  
20 RCW 10.77.079  
21 RCW 10.77.084  
22 RCW 10.77.0845  
23 RCW 10.77.086  
24 RCW 10.77.088  
25 RCW 10.77.0885  
26 RCW 10.77.089  
27 RCW 10.77.092  
28 RCW 10.77.093  
29 RCW 10.77.202  
30 RCW 10.77.320

31 (2) The code reviser shall correct all statutory references to  
32 sections recodified by this section.

33 NEW SECTION. **Sec. 3.** The following sections are decodified:

- 34 (1) RCW 10.77.2101 (Implementation of legislative intent);  
35 (2) RCW 10.77.290 (Secretary to adopt rules—2015 1st sp.s. c 7);  
36 (3) RCW 10.77.310 (Health care authority contracts—Compensation  
37 of staff in outpatient competency restoration programs);

1           (4) RCW 10.77.940 (Equal application of 1989 c 420—Evaluation for  
2 developmental disability); and

3           (5) RCW 10.77.950 (Construction—Chapter applicable to state  
4 registered domestic partnerships—2009 c 521).

5           NEW SECTION.   **Sec. 4.** If specific funding for the purposes of  
6 this act, referencing this act by bill or chapter number, is not  
7 provided by June 30, 2025, in the omnibus appropriations act, this  
8 act is null and void.

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