
SUBSTITUTE SENATE BILL 5147

State of Washington

69th Legislature

2025 Regular Session

By Senate Law & Justice (originally sponsored by Senators Torres, Dhingra, Frame, Harris, and Trudeau)

READ FIRST TIME 01/24/25.

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 a new section; 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) Nineteen members to be appointed by the department of social
10 and health services meeting the descriptions identified in (a)(vi)(A)
11 through (Q) of this subsection:

12 (A) One member representing superior courts, to be designated by
13 the Washington state superior court judges association;

14 (B) One member representing courts of limited jurisdiction, to be
15 designated by the Washington state district and municipal courts
16 judges association;

17 (C) One member representing prosecutors, to be designated by the
18 Washington association of prosecuting attorneys;

19 (D) One member representing trial-level criminal defense
20 attorneys, to be designated by the Washington defender association;

21 (E) One member representing law enforcement, to be designated by
22 the Washington association of sheriffs and police chiefs;

23 (F) One member representing the interests of victims, to be
24 designated by the office of crime victims advocacy;

25 (G) One member designated by disability rights Washington;

26 (H) A member designated by plaintiff's counsel in *A.B., by and*
27 *through Trueblood, et al., v. DSHS, et al., No. 15-35462*
28 *("Trueblood")*;

29 (I) One member designated by the national alliance on mental
30 illness Washington;

31 (J) An independent mental health professional with expertise in
32 forensics;

33 (K) A representative of a medicaid managed care organization;

34 (L) A representative of behavioral health administrative services
35 organizations;

36 (M) A representative of county governments, to be designated by
37 the Washington state association of counties;

38 (N) A representative of city governments, to be designated by the
39 association of Washington cities;

40 (O) A representative of western state hospital;

1 (P) A representative of eastern state hospital; and

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

6 (b) The task force shall choose its cochairs from among its
7 membership. The department of social and health services shall
8 convene the initial meeting of the task force.

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

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

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

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

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

28 (4) Staff support for the task force must be provided by the
29 department of social and health services. Senate committee services
30 and the office of program research may provide support to the task
31 force in the areas of statutory research and statutory drafting. The
32 department of social and health services must provide reporting under
33 RCW 43.18A.030.

34 (5) Nonlegislative members are not entitled to be reimbursed for
35 travel expenses if they are elected officials or are participating on
36 behalf of an employer, governmental entity, or other organization.
37 Any reimbursement for other nonlegislative members is subject to
38 chapter 43.03 RCW.

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

4 (7) This section expires June 30, 2027.

5 NEW SECTION. **Sec. 2.** (1) The code reviser shall recodify, as
6 necessary, the following sections of chapter 10.77 RCW in the
7 following order within chapter 10.77 RCW, using the indicated chapter
8 headings:

9 General

10 RCW 10.77.020

11 RCW 10.77.027

12 RCW 10.77.0942

13 RCW 10.77.095

14 RCW 10.77.097

15 RCW 10.77.210

16 RCW 10.77.230

17 RCW 10.77.240

18 RCW 10.77.250

19 RCW 10.77.255

20 RCW 10.77.260

21 RCW 10.77.270

22 RCW 10.77.275

23 RCW 10.77.280

24 RCW 10.77.300

25 Authorized Leave and Furloughs

26 RCW 10.77.145

27 RCW 10.77.163

28 Community Notifications

29 RCW 10.77.165

30 RCW 10.77.205

31 RCW 10.77.207

32 Evaluations Under This Chapter

33 RCW 10.77.060

34 RCW 10.77.065

35 RCW 10.77.070

36 RCW 10.77.100

37 Criminal Insanity

38 RCW 10.77.025

39 RCW 10.77.030

1 RCW 10.77.040
2 RCW 10.77.080
3 RCW 10.77.091
4 RCW 10.77.094
5 RCW 10.77.110
6 RCW 10.77.120
7 RCW 10.77.132
8 RCW 10.77.140
9 RCW 10.77.150
10 RCW 10.77.152
11 RCW 10.77.155
12 RCW 10.77.160
13 RCW 10.77.170
14 RCW 10.77.175
15 RCW 10.77.180
16 RCW 10.77.190
17 RCW 10.77.195
18 RCW 10.77.200
19 RCW 10.77.220
20 Competency to Stand Trial
21 RCW 10.77.050
22 RCW 10.77.068
23 RCW 10.77.072
24 RCW 10.77.074
25 RCW 10.77.075
26 RCW 10.77.079
27 RCW 10.77.084
28 RCW 10.77.0845
29 RCW 10.77.086
30 RCW 10.77.088
31 RCW 10.77.0885
32 RCW 10.77.089
33 RCW 10.77.092
34 RCW 10.77.093
35 RCW 10.77.202
36 RCW 10.77.320

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

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

- 1 (1) RCW 10.77.2101 (Implementation of legislative intent);
- 2 (2) RCW 10.77.290 (Secretary to adopt rules—2015 1st sp.s. c 7);
- 3 (3) RCW 10.77.310 (Health care authority contracts—Compensation
- 4 of staff in outpatient competency restoration programs);
- 5 (4) RCW 10.77.940 (Equal application of 1989 c 420—Evaluation for
- 6 developmental disability); and
- 7 (5) RCW 10.77.950 (Construction—Chapter applicable to state
- 8 registered domestic partnerships—2009 c 521).

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