
SENATE BILL 5213

State of Washington

69th Legislature

2025 Regular Session

By Senator McCune

Prefiled 01/09/25.

1 AN ACT Relating to the possession of fentanyl; amending RCW
2 69.50.4013, 9.94A.518, and 13.40.0357; creating a new section;
3 prescribing penalties; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The Washington state legislature
6 recognizes the escalating crisis of fentanyl use, a concern
7 underscored by alarming data and impacts in communities across the
8 state. According to recent department of health statistics, opioid
9 overdoses have risen dramatically since 2018, with fentanyl now being
10 the most prevalent cause of opioid-related fatalities. Preliminary
11 data suggests there were 662 synthetic opioid overdose deaths during
12 the first quarter of 2024 in Washington state, a near record high.

13 The intent of this act is to address the public health emergency
14 posed by fentanyl by prioritizing public safety. By categorizing the
15 possession of fentanyl as a felony, the legislature aims to deter its
16 illegal distribution and use. This approach seeks to reduce the
17 availability of fentanyl on the streets and curb the associated
18 harms, including addiction, overdose, and death.

19 **Sec. 2.** RCW 69.50.4013 and 2024 c 9 s 2 are each amended to read
20 as follows:

1 (1) Except as otherwise authorized by this chapter, it is
2 unlawful for any person to:

3 (a) Knowingly possess a controlled substance unless the substance
4 was obtained directly from, or pursuant to, a valid prescription or
5 order of a practitioner while acting in the course of his or her
6 professional practice; or

7 (b) Knowingly use a controlled substance in a public place,
8 unless the substance was obtained directly from, or pursuant to, a
9 valid prescription or order of a practitioner while acting in the
10 course of his or her professional practice.

11 (2)(a) Except as provided in RCW 69.50.4014 or 69.50.445 or (b)
12 of this subsection, a violation of subsection (1)(a) or (b) of this
13 section is a gross misdemeanor punishable by imprisonment of up to
14 180 days in jail, or by a fine of not more than \$1,000, or by both
15 such imprisonment and fine, however, if the defendant has two or more
16 prior convictions under subsection (1)(a) or (b) of this section
17 occurring after July 1, 2023, a violation of subsection (1)(a) or (b)
18 of this section is punishable by imprisonment for up to 364 days, or
19 by a fine of not more than \$1,000, or by both such imprisonment and
20 fine. The prosecutor is encouraged to divert such cases for
21 assessment, treatment, or other services.

22 (b) Any person who violates this section by knowingly possessing
23 fentanyl is guilty of a class C felony punishable according to
24 chapter 9A.20 RCW.

25 (c) No person may be charged under both subsection (1)(a) and (b)
26 of this section relating to the same course of conduct.

27 ~~((e))~~ (d) In lieu of jail booking and referral to the
28 prosecutor, law enforcement is encouraged to offer a referral to
29 assessment and services available under RCW 10.31.110 or other
30 program or entity responsible for receiving referrals in lieu of
31 legal system involvement, which may include, but are not limited to,
32 arrest and jail alternative programs established under RCW
33 36.28A.450, law enforcement assisted diversion programs established
34 under RCW 71.24.589, and the recovery navigator program established
35 under RCW 71.24.115.

36 (3)(a) The possession, by a person 21 years of age or older, of
37 useable cannabis, cannabis concentrates, or cannabis-infused products
38 in amounts that do not exceed those set forth in RCW 69.50.360(3) is
39 not a violation of this section, this chapter, or any other provision
40 of Washington state law.

1 (b) The possession of cannabis, useable cannabis, cannabis
2 concentrates, and cannabis-infused products being physically
3 transported or delivered within the state, in amounts not exceeding
4 those that may be established under RCW 69.50.385(3), by a licensed
5 employee of a common carrier when performing the duties authorized in
6 accordance with RCW 69.50.382 and 69.50.385, is not a violation of
7 this section, this chapter, or any other provision of Washington
8 state law.

9 (4)(a) The delivery by a person 21 years of age or older to one
10 or more persons 21 years of age or older, during a single 24 hour
11 period, for noncommercial purposes and not conditioned upon or done
12 in connection with the provision or receipt of financial
13 consideration, of any of the following cannabis products, is not a
14 violation of this section, this chapter, or any other provisions of
15 Washington state law:

16 (i) One-half ounce of useable cannabis;

17 (ii) Eight ounces of cannabis-infused product in solid form;

18 (iii) 36 ounces of cannabis-infused product in liquid form unless
19 the cannabis-infused product in liquid form is packaged in individual
20 units containing no more than four milligrams of THC per unit;

21 (iv) 100 milligrams of THC within a cannabis-infused product in
22 liquid form if the product is packaged in individual units containing
23 no more than four milligrams of THC per unit; or

24 (v) Three and one-half grams of cannabis concentrates.

25 (b) The act of delivering cannabis or a cannabis product as
26 authorized under this subsection (4) must meet one of the following
27 requirements:

28 (i) The delivery must be done in a location outside of the view
29 of general public and in a nonpublic place; or

30 (ii) The cannabis or cannabis product must be in the original
31 packaging as purchased from the cannabis retailer.

32 (5) No person under 21 years of age may manufacture, sell,
33 distribute, or knowingly possess cannabis, cannabis-infused products,
34 or cannabis concentrates, regardless of THC concentration. This does
35 not include qualifying patients with a valid authorization.

36 (6) The possession by a qualifying patient or designated provider
37 of cannabis concentrates, useable cannabis, cannabis-infused
38 products, or plants in accordance with chapter 69.51A RCW is not a
39 violation of this section, this chapter, or any other provision of
40 Washington state law.

1 (7) For the purposes of this section, "public place" has the same
2 meaning as defined in RCW 66.04.010, but the exclusions in RCW
3 66.04.011 do not apply.

4 (8) For the purposes of this section, "use a controlled
5 substance" means to introduce the substance into the human body by
6 injection, inhalation, ingestion, or any other means.

7 **Sec. 3.** RCW 9.94A.518 and 2023 c 66 s 2 are each amended to read
8 as follows:

9 TABLE 4

10 DRUG OFFENSES
11 INCLUDED WITHIN EACH
12 SERIOUSNESS LEVEL

- 13 III Any felony offense under chapter
14 69.50 RCW with a deadly weapon
15 special verdict under RCW
16 9.94A.825
17 Controlled Substance Homicide (RCW
18 69.50.415)
19 Delivery of imitation controlled
20 substance by person eighteen or
21 over to person under eighteen
22 (RCW 69.52.030(2))
23 Involving a minor in drug dealing
24 (RCW 69.50.4015)
25 Manufacture of methamphetamine
26 (RCW 69.50.401(2)(b))
27 Over 18 and deliver heroin,
28 methamphetamine, a narcotic from
29 Schedule I or II, or flunitrazepam
30 from Schedule IV to someone
31 under 18 (RCW 69.50.406)

1 Over 18 and deliver narcotic from
2 Schedule III, IV, or V or a
3 nonnarcotic, except flunitrazepam
4 or methamphetamine, from
5 Schedule I-V to someone under 18
6 and 3 years junior (RCW
7 69.50.406)

8 Possession of Ephedrine,
9 Pseudoephedrine, or Anhydrous
10 Ammonia with intent to
11 manufacture methamphetamine
12 (RCW 69.50.440)

13 Selling for profit (controlled or
14 counterfeit) any controlled
15 substance (RCW 69.50.410)

16 II Create or deliver a counterfeit
17 controlled substance (RCW
18 69.50.4011(1)(a))

19 Deliver or possess with intent to
20 deliver methamphetamine (RCW
21 69.50.401(2)(b))

22 Delivery of a material in lieu of a
23 controlled substance (RCW
24 69.50.4012)

25 Maintaining a Dwelling or Place for
26 Controlled Substances (RCW
27 69.50.402(1)(f))

28 Manufacture, deliver, or possess with
29 intent to deliver amphetamine
30 (RCW 69.50.401(2)(b))

31 Manufacture, deliver, or possess with
32 intent to deliver narcotics from
33 Schedule I or II or flunitrazepam
34 from Schedule IV (RCW
35 69.50.401(2)(a))

1 Manufacture, deliver, or possess with
2 intent to deliver narcotics from
3 Schedule III, IV, or V or
4 nonnarcotics from Schedule I-V
5 (except cannabis as defined in
6 RCW 69.50.101, amphetamine,
7 methamphetamines, or
8 flunitrazepam) (RCW
9 69.50.401(2) (c) through (e))

10 Manufacture, distribute, or possess
11 with intent to distribute an
12 imitation controlled substance
13 (RCW 69.52.030(1))

14 Possess, purchase, deliver, sell, or
15 possess with intent to sell a
16 tableting machine or encapsulating
17 machine (RCW 69.50.418)

18 I Forged Prescription (RCW 69.41.020)
19 Forged Prescription for a Controlled
20 Substance (RCW 69.50.403)

21 Manufacture, deliver, or possess with
22 intent to deliver cannabis as
23 defined in RCW 69.50.101 (RCW
24 69.50.401(2)(c))

25 Possession of Fentanyl (RCW
26 69.50.4013(2)(b))

27 Unlawful Use of Building for Drug
28 Purposes (RCW 69.53.010)

29 **Sec. 4.** RCW 13.40.0357 and 2023 c 295 s 8 are each amended to
30 read as follows:

31 **DESCRIPTION AND OFFENSE CATEGORY**

		JUVENILE DISPOSITION
JUVENILE	DISPOSITION	CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
CATEGORY	DESCRIPTION (RCW CITATION)	

1		Arson and Malicious Mischief	
2	A	Arson 1 (9A.48.020)	B+
3	B	Arson 2 (9A.48.030)	C
4	C	Reckless Burning 1 (9A.48.040)	D
5	D	Reckless Burning 2 (9A.48.050)	E
6	B	Malicious Mischief 1 (9A.48.070)	C
7	C	Malicious Mischief 2 (9A.48.080)	D
8	D	Malicious Mischief 3 (9A.48.090)	E
9	E	Tampering with Fire Alarm Apparatus	E
10		(9.40.100)	
11	E	Tampering with Fire Alarm Apparatus	E
12		with Intent to Commit Arson (9.40.105)	
13	A	Possession of Incendiary Device	B+
14		(9.40.120)	
15		Assault and Other Crimes Involving	
16		Physical Harm	
17	A	Assault 1 (9A.36.011)	B+
18	B+	Assault 2 (9A.36.021)	C+
19	C+	Assault 3 (9A.36.031)	D+
20	D+	Assault 4 (9A.36.041)	E
21	B+	Drive-By Shooting (9A.36.045)	C+
22		committed at age 15 or under	
23	A++	Drive-By Shooting (9A.36.045)	A
24		committed at age 16 or 17	
25	D+	Reckless Endangerment (9A.36.050)	E
26	C+	Promoting Suicide Attempt (9A.36.060)	D+
27	D+	Coercion (9A.36.070)	E
28	C+	Custodial Assault (9A.36.100)	D+
29		Burglary and Trespass	
30	B+	Burglary 1 (9A.52.020) committed at	C+
31		age 15 or under	
32	A-	Burglary 1 (9A.52.020) committed at	B+
33		age 16 or 17	
34	B	Residential Burglary (9A.52.025)	C
35	B	Burglary 2 (9A.52.030)	C

1	D	Burglary Tools (Possession of)	E
2		(9A.52.060)	
3	D	Criminal Trespass 1 (9A.52.070)	E
4	E	Criminal Trespass 2 (9A.52.080)	E
5	C	Mineral Trespass (78.44.330)	C
6	C	Vehicle Prowling 1 (9A.52.095)	D
7	D	Vehicle Prowling 2 (9A.52.100)	E
8		Drugs	
9	E	Possession/Consumption of Alcohol	E
10		(66.44.270)	
11	C	Illegally Obtaining Legend Drug	D
12		(69.41.020)	
13	C+	Sale, Delivery, Possession of Legend	D+
14		Drug with Intent to Sell (69.41.030(2)(a))	
15	E	Possession of Legend	E
16		Drug (69.41.030(2)(b))	
17	B+	Violation of Uniform Controlled	B+
18		Substances Act - Narcotic,	
19		Methamphetamine, or Flunitrazepam	
20		Sale (69.50.401(2) (a) or (b))	
21	C	Violation of Uniform Controlled	C
22		Substances Act - Nonnarcotic Sale	
23		(69.50.401(2)(c))	
24	E	Possession of Cannabis <40 grams	E
25		(69.50.4014)	
26	<u>C</u>	<u>Possession of Fentanyl</u>	<u>C</u>
27		<u>(69.50.4013(2)(b))</u>	
28	C	Fraudulently Obtaining Controlled	C
29		Substance (69.50.403)	
30	C+	Sale of Controlled Substance for Profit	C+
31		(69.50.410)	
32	E	Unlawful Inhalation (9.47A.020)	E
33	B	Violation of Uniform Controlled	B
34		Substances Act - Narcotic,	
35		Methamphetamine, or Flunitrazepam	
36		Counterfeit Substances (69.50.4011(2)	
37		(a) or (b))	

1	C	Violation of Uniform Controlled	C
2		Substances Act - Nonnarcotic Counterfeit	
3		Substances (69.50.4011(2) (c), (d), or (e))	
4	E	Violation of Uniform Controlled	E
5		Substances Act - Possession of a	
6		Controlled Substance (69.50.4013)	
7	C	Violation of Uniform Controlled	C
8		Substances Act - Possession of a	
9		Controlled Substance (69.50.4012)	
10		Firearms and Weapons	
11	B	Theft of Firearm (9A.56.300)	C
12	B	Possession of Stolen Firearm	C
13		(9A.56.310)	
14	E	Carrying Loaded Pistol Without Permit	E
15		(9.41.050)	
16	C	Possession of Firearms by Minor (<18)	C
17		(9.41.040(2)(a) (v))	
18	D+	Possession of Dangerous Weapon	E
19		(9.41.250)	
20	D	Intimidating Another Person by use of	E
21		Weapon (9.41.270)	
22		Homicide	
23	A+	Murder 1 (9A.32.030)	A
24	A+	Murder 2 (9A.32.050)	B+
25	B+	Manslaughter 1 (9A.32.060)	C+
26	C+	Manslaughter 2 (9A.32.070)	D+
27	B+	Vehicular Homicide (46.61.520)	C+
28		Kidnapping	
29	A	Kidnap 1 (9A.40.020)	B+
30	B+	Kidnap 2 (9A.40.030)	C+
31	C+	Unlawful Imprisonment (9A.40.040)	D+
32		Obstructing Governmental Operation	
33	D	Obstructing a Law Enforcement Officer	E
34		(9A.76.020)	
35	E	Resisting Arrest (9A.76.040)	E
36	B	Introducing Contraband 1 (9A.76.140)	C

1	C	Introducing Contraband 2 (9A.76.150)	D
2	E	Introducing Contraband 3 (9A.76.160)	E
3	B+	Intimidating a Public Servant	C+
4		(9A.76.180)	
5	B+	Intimidating a Witness (9A.72.110)	C+
6		Public Disturbance	
7	C+	Criminal Mischief with Weapon	D+
8		(9A.84.010(2)(b))	
9	D+	Criminal Mischief Without Weapon	E
10		(9A.84.010(2)(a))	
11	E	Failure to Disperse (9A.84.020)	E
12	E	Disorderly Conduct (9A.84.030)	E
13		Sex Crimes	
14	A	Rape 1 (9A.44.040)	B+
15	B++	Rape 2 (9A.44.050) committed at age 14	B+
16		or under	
17	A-	Rape 2 (9A.44.050) committed at age 15	B+
18		through age 17	
19	C+	Rape 3 (9A.44.060)	D+
20	B++	Rape of a Child 1 (9A.44.073)	B+
21		committed at age 14 or under	
22	A-	Rape of a Child 1 (9A.44.073)	B+
23		committed at age 15	
24	B+	Rape of a Child 2 (9A.44.076)	C+
25	B	Incest 1 (9A.64.020(1))	C
26	C	Incest 2 (9A.64.020(2))	D
27	D+	Indecent Exposure (Victim <14)	E
28		(9A.88.010)	
29	E	Indecent Exposure (Victim 14 or over)	E
30		(9A.88.010)	
31	B+	Promoting Prostitution 1 (9A.88.070)	C+
32	C+	Promoting Prostitution 2 (9A.88.080)	D+
33	E	O & A (Prostitution) (9A.88.030)	E
34	B+	Indecent Liberties (9A.44.100)	C+
35	B++	Child Molestation 1 (9A.44.083)	B+
36		committed at age 14 or under	

1	A-	Child Molestation 1 (9A.44.083)	B+
2		committed at age 15 through age 17	
3	B	Child Molestation 2 (9A.44.086)	C+
4	C	Failure to Register as a Sex Offender	D
5		(9A.44.132)	
6		Theft, Robbery, Extortion, and	
7		Forgery	
8	B	Theft 1 (9A.56.030)	C
9	C	Theft 2 (9A.56.040)	D
10	D	Theft 3 (9A.56.050)	E
11	B	Theft of Livestock 1 and 2 (9A.56.080	C
12		and 9A.56.083)	
13	C	Forgery (9A.60.020)	D
14	A	Robbery 1 (9A.56.200) committed at	B+
15		age 15 or under	
16	A++	Robbery 1 (9A.56.200) committed at	A
17		age 16 or 17	
18	B+	Robbery 2 (9A.56.210)	C+
19	B+	Extortion 1 (9A.56.120)	C+
20	C+	Extortion 2 (9A.56.130)	D+
21	C	Identity Theft 1 (9.35.020(2))	D
22	D	Identity Theft 2 (9.35.020(3))	E
23	D	Improperly Obtaining Financial	E
24		Information (9.35.010)	
25	B	Possession of a Stolen Vehicle	C
26		(9A.56.068)	
27	B	Possession of Stolen Property 1	C
28		(9A.56.150)	
29	C	Possession of Stolen Property 2	D
30		(9A.56.160)	
31	D	Possession of Stolen Property 3	E
32		(9A.56.170)	
33	B	Taking Motor Vehicle Without	C
34		Permission 1 (9A.56.070)	
35	C	Taking Motor Vehicle Without	D
36		Permission 2 (9A.56.075)	
37	B	Theft of a Motor Vehicle (9A.56.065)	C

1		Motor Vehicle Related Crimes	
2	E	Driving Without a License (46.20.005)	E
3	B+	Hit and Run - Death (46.52.020(4)(a))	C+
4	C	Hit and Run - Injury (46.52.020(4)(b))	D
5	D	Hit and Run-Attended (46.52.020(5))	E
6	E	Hit and Run-Unattended (46.52.010)	E
7	C	Vehicular Assault (46.61.522)	D
8	C	Attempting to Elude Pursuing Police	D
9		Vehicle (46.61.024)	
10	E	Reckless Driving (46.61.500)	E
11	D	Driving While Under the Influence	E
12		(46.61.502 and 46.61.504)	
13	B+	Felony Driving While Under the	B
14		Influence (46.61.502(6))	
15	B+	Felony Physical Control of a Vehicle	B
16		While Under the Influence (46.61.504(6))	
17		Other	
18	B	Animal Cruelty 1 (16.52.205)	C
19	B	Bomb Threat (9.61.160)	C
20	C	Escape 1 ¹ (9A.76.110)	C
21	C	Escape 2 ¹ (9A.76.120)	C
22	D	Escape 3 (9A.76.130)	E
23	E	Obscene, Harassing, Etc., Phone Calls	E
24		(9.61.230)	
25	A	Other Offense Equivalent to an Adult	B+
26		Class A Felony	
27	B	Other Offense Equivalent to an Adult	C
28		Class B Felony	
29	C	Other Offense Equivalent to an Adult	D
30		Class C Felony	
31	D	Other Offense Equivalent to an Adult	E
32		Gross Misdemeanor	
33	E	Other Offense Equivalent to an Adult	E
34		Misdemeanor	
35	V	Violation of Order of Restitution,	V
36		Community Supervision, or Confinement	
37		(13.40.200) ²	

1 ¹Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses
 2 and the standard range is established as follows:

3 1st escape or attempted escape during 12-month period - 28 days
 4 confinement

5 2nd escape or attempted escape during 12-month period - 8 weeks
 6 confinement

7 3rd and subsequent escape or attempted escape during 12-month
 8 period - 12 weeks confinement

9 ²If the court finds that a respondent has violated terms of an order,
 10 it may impose a penalty of up to 30 days of confinement.

11 **JUVENILE SENTENCING STANDARDS**

12 This schedule must be used for juvenile offenders. The court may
 13 select sentencing option A, B, C, or D.

14 **OPTION A**

15 **JUVENILE OFFENDER SENTENCING GRID**

16 **STANDARD RANGE**

17	A++	129 to 260 weeks for all category A++ offenses					
18	A+	180 weeks to age 21 for all category A+ offenses					
19	A	103-129 weeks for all category A offenses					
20	A-	30-40 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks	
21	B++	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks	
22	CURRENT	B+	15-36 weeks	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks
23	OFFENSE	B	LS	LS	15-36 weeks	15-36 weeks	52-65 weeks
24	CATEGORY	C+	LS	LS	LS	15-36 weeks	15-36 weeks
25		C	LS	LS	LS	LS	15-36 weeks
26		D+	LS	LS	LS	LS	LS
27		D	LS	LS	LS	LS	LS
28		E	LS	LS	LS	LS	LS
29	PRIOR		0	1	2	3	4 or more
30	ADJUDICATIONS						

1 NOTE: References in the grid to days or weeks mean periods of
2 confinement. "LS" means "local sanctions" as defined in RCW
3 13.40.020.

4 (1) The vertical axis of the grid is the current offense
5 category. The current offense category is determined by the offense
6 of adjudication.

7 (2) The horizontal axis of the grid is the number of prior
8 adjudications included in the juvenile's criminal history. Each prior
9 felony adjudication shall count as one point. Each prior violation,
10 misdemeanor, and gross misdemeanor adjudication shall count as 1/4
11 point. Fractional points shall be rounded down.

12 (3) The standard range disposition for each offense is determined
13 by the intersection of the column defined by the prior adjudications
14 and the row defined by the current offense category.

15 (4) RCW 13.40.180 applies if the offender is being sentenced for
16 more than one offense.

17 (5) A current offense that is a violation is equivalent to an
18 offense category of E. However, a disposition for a violation shall
19 not include confinement.

20 **OR**

21 **OPTION B**

22 **SUSPENDED DISPOSITION ALTERNATIVE**

23 (1) If the offender is subject to a standard range disposition
24 involving confinement by the department, the court may impose the
25 standard range and suspend the disposition on condition that the
26 offender comply with one or more local sanctions and any educational
27 or treatment requirement. The treatment programs provided to the
28 offender must be either research-based best practice programs as
29 identified by the Washington state institute for public policy or the
30 joint legislative audit and review committee, or for chemical
31 dependency treatment programs or services, they must be evidence-
32 based or research-based best practice programs. For the purposes of
33 this subsection:

34 (a) "Evidence-based" means a program or practice that has had
35 multiple site random controlled trials across heterogeneous
36 populations demonstrating that the program or practice is effective
37 for the population; and

1 (b) "Research-based" means a program or practice that has some
2 research demonstrating effectiveness, but that does not yet meet the
3 standard of evidence-based practices.

4 (2) If the offender fails to comply with the suspended
5 disposition, the court may impose sanctions pursuant to RCW 13.40.200
6 or may revoke the suspended disposition and order the disposition's
7 execution.

8 (3) An offender is ineligible for the suspended disposition
9 option under this section if the offender:

10 (a) Is adjudicated of an A+ or A++ offense;

11 (b) Is fourteen years of age or older and is adjudicated of one
12 or more of the following offenses:

13 (i) A class A offense, or an attempt, conspiracy, or solicitation
14 to commit a class A offense;

15 (ii) Manslaughter in the first degree (RCW 9A.32.060);

16 (iii) Assault in the second degree (RCW 9A.36.021), extortion in
17 the first degree (RCW 9A.56.120), kidnapping in the second degree
18 (RCW 9A.40.030), drive-by shooting (RCW 9A.36.045), vehicular
19 homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), or
20 manslaughter 2 (RCW 9A.32.070); or

21 (iv) Violation of the uniform controlled substances act (RCW
22 69.50.401(2) (a) and (b)), when the offense includes infliction of
23 bodily harm upon another or when during the commission or immediate
24 withdrawal from the offense the respondent was armed with a deadly
25 weapon;

26 (c) Is ordered to serve a disposition for a firearm violation
27 under RCW 13.40.193;

28 (d) Is adjudicated of a sex offense as defined in RCW 9.94A.030;
29 or

30 (e) Has a prior option B disposition.

31 **OR**

32 **OPTION C**

33 **CHEMICAL DEPENDENCY/MENTAL HEALTH DISPOSITION ALTERNATIVE**

34 If the juvenile offender is subject to a standard range
35 disposition of local sanctions or 15 to 36 weeks of confinement and
36 has not committed a B++ or B+ offense, the court may impose a
37 disposition under RCW 13.40.160(4) and 13.40.165.

38 **OR**

1 **OPTION D**

2 **MANIFEST INJUSTICE**

3 If the court determines that a disposition under option A, B, or C
4 would effectuate a manifest injustice, the court shall impose a
5 disposition outside the standard range under RCW 13.40.160(2).

6 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately.

--- END ---