
HOUSE BILL 1412

State of Washington

54th Legislature

1995 Regular Session

By Representative Padden

Read first time 01/24/95. Referred to Committee on Law and Justice.

1 AN ACT Relating to marihuana offenses; amending RCW 69.50.425;
2 creating a new section; and prescribing penalties.

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

4 **Sec. 1.** RCW 69.50.425 and 1989 c 271 s 105 are each amended to
5 read as follows:

6 A person who is convicted of a misdemeanor violation of (~~any~~
7 ~~provision of this chapter~~) RCW 69.50.401(e) or 69.50.412 shall be
8 punished by imprisonment for not less than twenty-four consecutive
9 hours, and by a fine of not less than two hundred fifty dollars. On a
10 second or subsequent conviction, the fine shall not be less than five
11 hundred dollars. These fines shall be in addition to any other fine or
12 penalty imposed. Unless the court finds that the imposition of the
13 minimum imprisonment will pose a substantial risk to the defendant's
14 physical or mental well-being or that local jail facilities are in an
15 overcrowded condition, the minimum term of imprisonment shall not be
16 suspended or deferred. If the court finds such risk or overcrowding
17 exists, it shall sentence the defendant to a minimum of forty hours of
18 community service. If a minimum term of imprisonment is suspended or
19 deferred, the court shall state in writing the reason for granting the

1 suspension or deferral and the facts upon which the suspension or
2 deferral is based. Unless the court finds the person to be indigent,
3 the minimum fine shall not be suspended or deferred.

4 NEW SECTION. **Sec. 2.** This act is intended to clarify the
5 application of RCW 69.50.425 and is not intended to be a change in
6 current law.

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