
SENATE BILL 6493

State of Washington 59th Legislature 2006 Regular Session

By Senators Kline, Weinstein, Brandland, Hargrove, Oke and Rasmussen

Read first time 01/13/2006. Referred to Committee on Judiciary.

1 AN ACT Relating to drug courts; and amending RCW 2.28.170.

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

3 **Sec. 1.** RCW 2.28.170 and 2005 c 504 s 504 are each amended to read
4 as follows:

5 (1) Counties may establish and operate drug courts.

6 (2) For the purposes of this section, "drug court" means a court
7 that has special calendars or dockets designed to achieve a reduction
8 in recidivism and substance abuse among (~~nonviolent~~) substance
9 abusing felony and nonfelony offenders by increasing their likelihood
10 for successful rehabilitation through early, continuous, and intense
11 judicially supervised treatment; mandatory periodic drug testing; and
12 the use of appropriate sanctions and other rehabilitation services.

13 (3)(a) Any jurisdiction that seeks a state appropriation to fund a
14 drug court program must first:

15 (i) Exhaust all federal funding that is available to support the
16 operations of its drug court and associated services; and

17 (ii) Match, on a dollar-for-dollar basis, state moneys allocated
18 for drug court programs with local cash or in-kind resources. Moneys

1 allocated by the state must be used to supplement, not supplant, other
2 federal, state, and local funds for drug court operations and
3 associated services.

4 (b) Any county that establishes a drug court pursuant to this
5 section shall establish minimum requirements for the participation of
6 offenders in the program. The drug court may adopt local requirements
7 that are more stringent than the minimum. The minimum requirements
8 are:

9 (i) The offender would benefit from substance abuse treatment;

10 (ii) The offender has not previously been convicted of a serious
11 violent offense or sex offense as defined in RCW 9.94A.030; and

12 (iii) Without regard to whether proof of any of these elements is
13 required to convict, the offender is not currently charged with or
14 convicted of an offense:

15 (A) That is a sex offense;

16 (B) That is a serious violent offense;

17 (C) During which the defendant used a firearm; or

18 (D) During which the defendant caused (~~substantial or~~) great
19 bodily harm or death to another person.

20 (4) The prosecuting attorney and the court shall comply with all
21 federal drug court rules to the extent necessary to obtain or retain
22 federal funds.

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