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SENATE BILL 5107

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AS AMENDED BY THE HOUSE

Passed Legislature - 2015 Regular Session

State of Washington                      64th Legislature                      2015 Regular Session

By Senators Padden, Pedersen, Roach, O'Ban, Darneille, and Benton

Read first time 01/14/15. Referred to Committee on Law & Justice.

1            AN ACT Relating to authorizing, funding, and encouraging the  
2 establishment of therapeutic courts; amending RCW 82.14.460,  
3 9.94A.517, 9.94A.517, and 70.96A.350; adding a new chapter to Title 2  
4 RCW; creating a new section; repealing RCW 2.28.170, 2.28.175,  
5 2.28.180, 2.28.190, 13.40.700, 13.40.710, 26.12.250, 2.28.165, and  
6 2.28.166; providing an effective date; and providing an expiration  
7 date.

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

9            NEW SECTION.    **Sec. 1.**    (1) The legislature finds that judges in  
10 the trial courts throughout the state effectively utilize what are  
11 known as therapeutic courts to remove a defendant's or respondent's  
12 case from the criminal and civil court traditional trial track and  
13 allow those defendants or respondents the opportunity to obtain  
14 treatment services to address particular issues that may have  
15 contributed to the conduct that led to their arrest or other issues  
16 before the court. Trial courts have proved adept at creative  
17 approaches in fashioning a wide variety of therapeutic courts  
18 addressing the spectrum of social issues that can contribute to  
19 criminal activity and engagement with the child welfare system.

20            (2) The legislature further finds that by focusing on the  
21 specific individual's needs, providing treatment for the issues

1 presented, and ensuring rapid and appropriate accountability for  
2 program violations, therapeutic courts may decrease recidivism,  
3 improve the safety of the community, and improve the life of the  
4 program participant and the lives of the participant's family members  
5 by decreasing the severity and frequency of the specific behavior  
6 addressed by the therapeutic court.

7 (3) The legislature recognizes the inherent authority of the  
8 judiciary under Article IV, section 1 of the state Constitution to  
9 establish therapeutic courts, and the outstanding contribution to the  
10 state and local communities made by the establishment of therapeutic  
11 courts and desires to provide a general provision in statute  
12 acknowledging and encouraging the judiciary to provide for  
13 therapeutic court programs to address the particular needs within a  
14 given judicial jurisdiction.

15 (4) Therapeutic court programs may include, but are not limited  
16 to:

- 17 (a) Adult drug court;
- 18 (b) Juvenile drug court;
- 19 (c) Family dependency treatment court or family drug court;
- 20 (d) Mental health court, which may include participants with  
21 developmental disabilities;
- 22 (e) DUI court;
- 23 (f) Veterans treatment court;
- 24 (g) Truancy court;
- 25 (h) Domestic violence court;
- 26 (i) Gambling court;
- 27 (j) Community court;
- 28 (k) Homeless court;
- 29 (l) Treatment, responsibility, and accountability on campus (Back  
30 on TRAC) court.

31 NEW SECTION. **Sec. 2.** The definitions in this section apply  
32 throughout this chapter unless the context clearly requires  
33 otherwise.

34 (1) "Emerging best practice" or "promising practice" means a  
35 program or practice that, based on statistical analyses or a well-  
36 established theory of change, shows potential for meeting the  
37 evidence-based or research-based criteria, which may include the use  
38 of a program that is evidence-based for outcomes other than those  
39 listed in this section.

1 (2) "Evidence-based" means a program or practice that: (a) Has  
2 been tested in heterogeneous or intended populations with multiple  
3 randomized, or statistically controlled evaluations, or both; or one  
4 large multiple site randomized, or statistically controlled  
5 evaluation, or both, where the weight of the evidence from a systemic  
6 review demonstrates sustained improvements in at least one outcome;  
7 or (b) may be implemented with a set of procedures to allow  
8 successful replication in Washington and, when possible, is  
9 determined to be cost-beneficial.

10 (3) "Government authority" means prosecutor or other  
11 representative initiating action leading to a proceeding in  
12 therapeutic court.

13 (4) "Participant" means an accused person, offender, or  
14 respondent in the judicial proceeding.

15 (5) "Research-based" means a program or practice that has been  
16 tested with a single randomized, or statistically controlled  
17 evaluation, or both, demonstrating sustained desirable outcomes; or  
18 where the weight of the evidence from a systemic review supports  
19 sustained outcomes as described in this subsection but does not meet  
20 the full criteria for evidence-based.

21 (6) "Specialty court" and "therapeutic court" both mean a court  
22 utilizing a program or programs structured to achieve both a  
23 reduction in recidivism and an increase in the likelihood of  
24 rehabilitation, or to reduce child abuse and neglect, out-of-home  
25 placements of children, termination of parental rights, and substance  
26 abuse and mental health symptoms among parents or guardians and their  
27 children through continuous and intense judicially supervised  
28 treatment and the appropriate use of services, sanctions, and  
29 incentives.

30 (7) "Therapeutic court personnel" means the staff of a  
31 therapeutic court including, but not limited to: Court and clerk  
32 personnel with therapeutic court duties, prosecuting attorneys, the  
33 attorney general or his or her representatives, defense counsel,  
34 monitoring personnel, and others acting within the scope of  
35 therapeutic court duties.

36 (8) "Trial court" means a superior court authorized under Title 2  
37 RCW or a district or municipal court authorized under Title 3 or 35  
38 RCW.

1        NEW SECTION.    **Sec. 3.**    (1) Every trial and juvenile court in the  
2 state of Washington is authorized and encouraged to establish and  
3 operate therapeutic courts. Therapeutic courts, in conjunction with  
4 the government authority and subject matter experts specific to the  
5 focus of the therapeutic court, develop and process cases in ways  
6 that depart from traditional judicial processes to allow defendants  
7 or respondents the opportunity to obtain treatment services to  
8 address particular issues that may have contributed to the conduct  
9 that led to their arrest or involvement in the child welfare system  
10 in exchange for resolution of the case or charges. In criminal cases,  
11 the consent of the prosecutor is required.

12        (2) While a therapeutic court judge retains the discretion to  
13 decline to accept a case into the therapeutic court, and while a  
14 therapeutic court retains discretion to establish processes and  
15 determine eligibility for admission to the therapeutic court process  
16 unique to their community and jurisdiction, the effectiveness and  
17 credibility of any therapeutic court will be enhanced when the court  
18 implements evidence-based practices, research-based practices,  
19 emerging best practices, or promising practices that have been  
20 identified and accepted at the state and national levels. Promising  
21 practices, emerging best practices, and/or research-based programs  
22 are authorized where determined by the court to be appropriate. As  
23 practices evolve, the trial court shall regularly assess the  
24 effectiveness of its program and the methods by which it implements  
25 and adopts new best practices.

26        (3) Except under special findings by the court, the following  
27 individuals are not eligible for participation in therapeutic courts:

28        (a) Individuals who are currently charged or who have been  
29 previously convicted of a serious violent offense or sex offense as  
30 defined in RCW 9.94A.030;

31        (b) Individuals who are currently charged with an offense  
32 alleging intentional discharge, threat to discharge, or attempt to  
33 discharge a firearm in furtherance of the offense;

34        (c) Individuals who are currently charged with or who have been  
35 previously convicted of vehicular homicide or an equivalent out-of-  
36 state offense; or

37        (d) Individuals who are currently charged with or who have been  
38 previously convicted of: An offense alleging substantial bodily harm  
39 or great bodily harm as defined in RCW 9A.04.110, or death of another  
40 person.

1 (4) Any jurisdiction establishing a therapeutic court shall  
2 endeavor to incorporate the therapeutic court principles of best  
3 practices as recognized by state and national therapeutic court  
4 organizations in structuring a particular program, which may include:

5 (a) Determining the population;

6 (b) Performing a clinical assessment;

7 (c) Developing the treatment plan;

8 (d) Monitoring the participant, including any appropriate  
9 testing;

10 (e) Forging agency, organization, and community partnerships;

11 (f) Taking a judicial leadership role;

12 (g) Developing case management strategies;

13 (h) Addressing transportation, housing, and subsistence issues;

14 (i) Evaluating the program;

15 (j) Ensuring a sustainable program.

16 (5) Upon a showing of indigence under RCW 10.101.010, fees may be  
17 reduced or waived.

18 (6) The department of social and health services shall furnish  
19 services to therapeutic courts addressing dependency matters where  
20 substance abuse or mental health are an issue unless the court  
21 contracts with providers outside of the department.

22 (7) Any jurisdiction that has established more than one  
23 therapeutic court under this chapter may combine the functions of  
24 these courts into a single therapeutic court.

25 (8) Nothing in this section prohibits a district or municipal  
26 court from ordering treatment or other conditions of sentence or  
27 probation following a conviction, without the consent of either the  
28 prosecutor or defendant.

29 (9) No therapeutic or specialty court may be established  
30 specifically for the purpose of applying foreign law, including  
31 foreign criminal, civil, or religious law, that is otherwise not  
32 required by treaty.

33 (10) No therapeutic or specialty court established by court rule  
34 shall enforce a foreign law, if doing so would violate a right  
35 guaranteed by the Constitution of this state or of the United States.

36 NEW SECTION. **Sec. 4.** Jurisdictions may seek federal funding  
37 available to support the operation of its therapeutic court and  
38 associated services and must match, on a dollar-for-dollar basis,  
39 state moneys allocated for therapeutic courts with local cash or in-

1 kind resources. Moneys allocated by the state may be used to  
2 supplement, not supplant other federal, state, and local funds for  
3 therapeutic courts. However, until June 30, 2016, no match is  
4 required for state moneys expended for the administrative and  
5 overhead costs associated with the operation of a therapeutic court  
6 authorized under this chapter.

7 **Sec. 5.** RCW 82.14.460 and 2012 c 180 s 1 are each amended to  
8 read as follows:

9 (1)(a) A county legislative authority may authorize, fix, and  
10 impose a sales and use tax in accordance with the terms of this  
11 chapter.

12 (b) If a county with a population over eight hundred thousand has  
13 not imposed the tax authorized under this subsection by January 1,  
14 2011, any city with a population over thirty thousand located in that  
15 county may authorize, fix, and impose the sales and use tax in  
16 accordance with the terms of this chapter. The county must provide a  
17 credit against its tax for the full amount of tax imposed under this  
18 subsection (1)(b) by any city located in that county if the county  
19 imposes the tax after January 1, 2011.

20 (2) The tax authorized in this section is in addition to any  
21 other taxes authorized by law and must be collected from those  
22 persons who are taxable by the state under chapters 82.08 and 82.12  
23 RCW upon the occurrence of any taxable event within the county for a  
24 county's tax and within a city for a city's tax. The rate of tax  
25 equals one-tenth of one percent of the selling price in the case of a  
26 sales tax, or value of the article used, in the case of a use tax.

27 (3) Moneys collected under this section must be used solely for  
28 the purpose of providing for the operation or delivery of chemical  
29 dependency or mental health treatment programs and services and for  
30 the operation or delivery of therapeutic court programs and services.  
31 For the purposes of this section, "programs and services" includes,  
32 but is not limited to, treatment services, case management,  
33 transportation, and housing that are a component of a coordinated  
34 chemical dependency or mental health treatment program or service.  
35 Every county that authorizes the tax provided in this section shall,  
36 and every other county may, establish and operate a therapeutic court  
37 component for dependency proceedings designed to be effective for the  
38 court's size, location, and resources.

1 (4) All moneys collected under this section must be used solely  
2 for the purpose of providing new or expanded programs and services as  
3 provided in this section, except as follows:

4 (a) For a county with a population larger than twenty-five  
5 thousand or a city with a population over thirty thousand, which  
6 initially imposed the tax authorized under this section prior to  
7 January 1, 2012, a portion of moneys collected under this section may  
8 be used to supplant existing funding for these purposes as follows:  
9 Up to fifty percent may be used to supplant existing funding in  
10 calendar years 2011-2012; up to forty percent may be used to supplant  
11 existing funding in calendar year 2013; up to thirty percent may be  
12 used to supplant existing funding in calendar year 2014; up to twenty  
13 percent may be used to supplant existing funding in calendar year  
14 2015; and up to ten percent may be used to supplant existing funding  
15 in calendar year 2016;

16 (b) For a county with a population larger than twenty-five  
17 thousand or a city with a population over thirty thousand, which  
18 initially imposes the tax authorized under this section after  
19 December 31, 2011, a portion of moneys collected under this section  
20 may be used to supplant existing funding for these purposes as  
21 follows: Up to fifty percent may be used to supplant existing funding  
22 for up to the first three calendar years following adoption; and up  
23 to twenty-five percent may be used to supplant existing funding for  
24 the fourth and fifth years after adoption;

25 (c) For a county with a population of less than twenty-five  
26 thousand, a portion of moneys collected under this section may be  
27 used to supplant existing funding for these purposes as follows: Up  
28 to eighty percent may be used to supplant existing funding in  
29 calendar years 2011-2012; up to sixty percent may be used to supplant  
30 existing funding in calendar year 2013; up to forty percent may be  
31 used to supplant existing funding in calendar year 2014; up to twenty  
32 percent may be used to supplant existing funding in calendar year  
33 2015; and up to ten percent may be used to supplant existing funding  
34 in calendar year 2016; and

35 (d) Notwithstanding (a) through (c) of this subsection, moneys  
36 collected under this section may be used to support the cost of the  
37 judicial officer and support staff of a therapeutic court.

38 (5) Nothing in this section may be interpreted to prohibit the  
39 use of moneys collected under this section for the replacement of

1 lapsed federal funding previously provided for the operation or  
2 delivery of services and programs as provided in this section.

3 NEW SECTION. **Sec. 6.** Individual trial courts are authorized and  
4 encouraged to establish multijurisdictional partnerships and/or  
5 interlocal agreements under RCW 39.34.180 to enhance and expand the  
6 coverage area of the therapeutic court. Specifically, district and  
7 municipal courts may work cooperatively with each other and with the  
8 superior courts to identify and implement nontraditional case  
9 processing methods which can eliminate traditional barriers that  
10 decrease judicial efficiency.

11 NEW SECTION. **Sec. 7.** Any therapeutic court meeting the  
12 definition of therapeutic court in section 2 of this act and existing  
13 on the effective date of this section continues to be authorized.

14 **Sec. 8.** RCW 9.94A.517 and 2013 2nd sp.s. c 14 s 1 are each  
15 amended to read as follows:

16 (1)

17 TABLE 3

18 DRUG OFFENSE SENTENCING GRID

19	Seriousness	Offender	Offender	Offender
20	Level	Score	Score	Score
21		<b>0 to 2</b>	<b>3 to 5</b>	<b>6 to 9 or</b>
22				<b>more</b>
23	<b>III</b>	51 to 68	68 + to 100	100 + to
24		months	months	120 months
25	<b>II</b>	12 + to 20	20 + to 60	60 + to 120
26		months	months	months
27	<b>I</b>	0 to 6	6 + to 12	12 + to 24
28		months	months	months

29 References to months represent the standard sentence ranges.  
30 12 + equals one year and one day.

31 (2) The court may utilize any other sanctions or alternatives as  
32 authorized by law, including but not limited to the special drug  
33 offender sentencing alternative under RCW 9.94A.660 or drug court  
34 under (~~RCW 2.28.170~~) chapter 2.--- RCW (the new chapter created in  
35 section 12 of this act).



1 (3) Nothing in this section creates an entitlement for a criminal  
2 defendant to any specific sanction, alternative, sentence option, or  
3 substance abuse treatment.

4 **Sec. 9.** RCW 9.94A.517 and 2002 c 290 s 8 are each amended to  
5 read as follows:

6 (1)

7 TABLE 3  
8 DRUG OFFENSE SENTENCING GRID

	<b>Seriousness Level</b>	<b>Offender Score</b>	<b>Offender Score</b>	<b>Offender Score</b>
		<b>0 to 2</b>	<b>3 to 5</b>	<b>6 to 9 or more</b>
	<b>III</b>	51 to 68 months	68 + to 100 months	100 + to 120 months
	<b>II</b>	12 + to 20 months	20 + to 60 months	60 + to 120 months
	<b>I</b>	0 to 6 months	6 + to 18 months	12 + to 24 months

19 References to months represent the standard sentence ranges. 12 +  
20 equals one year and one day.

21 (2) The court may utilize any other sanctions or alternatives as  
22 authorized by law, including but not limited to the special drug  
23 offender sentencing alternative under RCW 9.94A.660 or drug court  
24 under (~~RCW 2.28.170~~) chapter 2.--- RCW (the new chapter created in  
25 section 12 of this act).

26 (3) Nothing in this section creates an entitlement for a criminal  
27 defendant to any specific sanction, alternative, sentence option, or  
28 substance abuse treatment.

29 **Sec. 10.** RCW 70.96A.350 and 2013 2nd sp.s. c 4 s 990 are each  
30 amended to read as follows:

31 (1) The criminal justice treatment account is created in the  
32 state treasury. Moneys in the account may be expended solely for: (a)  
33 Substance abuse treatment and treatment support services for  
34 offenders with an addiction or a substance abuse problem that, if not  
35 treated, would result in addiction, against whom charges are filed by  
36 a prosecuting attorney in Washington state; (b) the provision of drug

1 and alcohol treatment services and treatment support services for  
2 nonviolent offenders within a drug court program; (c) the  
3 administrative and overhead costs associated with the operation of a  
4 drug court; and (d) during the 2011-2013 biennium, the legislature  
5 may appropriate up to three million dollars from the account in order  
6 to offset reductions in the state general fund for treatment services  
7 provided by counties. This amount is not subject to the requirements  
8 of subsections (5) through (9) of this section. During the 2013-2015  
9 fiscal biennium, the legislature may transfer from the criminal  
10 justice treatment account to the state general fund amounts as  
11 reflect the state savings associated with the implementation of the  
12 medicaid expansion of the federal affordable care act. Moneys in the  
13 account may be spent only after appropriation.

14 (2) For purposes of this section:

15 (a) "Treatment" means services that are critical to a  
16 participant's successful completion of his or her substance abuse  
17 treatment program, but does not include the following services:  
18 Housing other than that provided as part of an inpatient substance  
19 abuse treatment program, vocational training, and mental health  
20 counseling; and

21 (b) "Treatment support" means transportation to or from inpatient  
22 or outpatient treatment services when no viable alternative exists,  
23 and child care services that are necessary to ensure a participant's  
24 ability to attend outpatient treatment sessions.

25 (3) Revenues to the criminal justice treatment account consist  
26 of: (a) Funds transferred to the account pursuant to this section;  
27 and (b) any other revenues appropriated to or deposited in the  
28 account.

29 (4)(a) For the fiscal biennium beginning July 1, 2003, the state  
30 treasurer shall transfer eight million nine hundred fifty thousand  
31 dollars from the general fund into the criminal justice treatment  
32 account, divided into eight equal quarterly payments. For the fiscal  
33 year beginning July 1, 2005, and each subsequent fiscal year, the  
34 state treasurer shall transfer eight million two hundred fifty  
35 thousand dollars from the general fund to the criminal justice  
36 treatment account, divided into four equal quarterly payments. For  
37 the fiscal year beginning July 1, 2006, and each subsequent fiscal  
38 year, the amount transferred shall be increased on an annual basis by  
39 the implicit price deflator as published by the federal bureau of  
40 labor statistics.

1 (b) In each odd-numbered year, the legislature shall appropriate  
2 the amount transferred to the criminal justice treatment account in  
3 (a) of this subsection to the division of alcohol and substance abuse  
4 for the purposes of subsection (5) of this section.

5 (5) Moneys appropriated to the division of alcohol and substance  
6 abuse from the criminal justice treatment account shall be  
7 distributed as specified in this subsection. The department shall  
8 serve as the fiscal agent for purposes of distribution. Until July 1,  
9 2004, the department may not use moneys appropriated from the  
10 criminal justice treatment account for administrative expenses and  
11 shall distribute all amounts appropriated under subsection (4)(b) of  
12 this section in accordance with this subsection. Beginning in July 1,  
13 2004, the department may retain up to three percent of the amount  
14 appropriated under subsection (4)(b) of this section for its  
15 administrative costs.

16 (a) Seventy percent of amounts appropriated to the division from  
17 the account shall be distributed to counties pursuant to the  
18 distribution formula adopted under this section. The division of  
19 alcohol and substance abuse, in consultation with the department of  
20 corrections, the Washington state association of counties, the  
21 Washington state association of drug court professionals, the  
22 superior court judges' association, the Washington association of  
23 prosecuting attorneys, representatives of the criminal defense bar,  
24 representatives of substance abuse treatment providers, and any other  
25 person deemed by the division to be necessary, shall establish a fair  
26 and reasonable methodology for distribution to counties of moneys in  
27 the criminal justice treatment account. County or regional plans  
28 submitted for the expenditure of formula funds must be approved by  
29 the panel established in (b) of this subsection.

30 (b) Thirty percent of the amounts appropriated to the division  
31 from the account shall be distributed as grants for purposes of  
32 treating offenders against whom charges are filed by a county  
33 prosecuting attorney. The division shall appoint a panel of  
34 representatives from the Washington association of prosecuting  
35 attorneys, the Washington association of sheriffs and police chiefs,  
36 the superior court judges' association, the Washington state  
37 association of counties, the Washington defender's association or the  
38 Washington association of criminal defense lawyers, the department of  
39 corrections, the Washington state association of drug court  
40 professionals, substance abuse treatment providers, and the division.

1 The panel shall review county or regional plans for funding under (a)  
2 of this subsection and grants approved under this subsection. The  
3 panel shall attempt to ensure that treatment as funded by the grants  
4 is available to offenders statewide.

5 (6) The county alcohol and drug coordinator, county prosecutor,  
6 county sheriff, county superior court, a substance abuse treatment  
7 provider appointed by the county legislative authority, a member of  
8 the criminal defense bar appointed by the county legislative  
9 authority, and, in counties with a drug court, a representative of  
10 the drug court shall jointly submit a plan, approved by the county  
11 legislative authority or authorities, to the panel established in  
12 subsection (5)(b) of this section, for disposition of all the funds  
13 provided from the criminal justice treatment account within that  
14 county. The funds shall be used solely to provide approved alcohol  
15 and substance abuse treatment pursuant to RCW 70.96A.090, treatment  
16 support services, and for the administrative and overhead costs  
17 associated with the operation of a drug court.

18 (a) No more than ten percent of the total moneys received under  
19 subsections (4) and (5) of this section by a county or group of  
20 counties participating in a regional agreement shall be spent on the  
21 administrative and overhead costs associated with the operation of a  
22 drug court.

23 (b) No more than ten percent of the total moneys received under  
24 subsections (4) and (5) of this section by a county or group of  
25 counties participating in a regional agreement shall be spent for  
26 treatment support services.

27 (7) Counties are encouraged to consider regional agreements and  
28 submit regional plans for the efficient delivery of treatment under  
29 this section.

30 (8) Moneys allocated under this section shall be used to  
31 supplement, not supplant, other federal, state, and local funds used  
32 for substance abuse treatment.

33 (9) Counties must meet the criteria established in ((RCW  
34 ~~2.28.170(3)(b))~~) section 3(3) of this act.

35 (10) The authority under this section to use funds from the  
36 criminal justice treatment account for the administrative and  
37 overhead costs associated with the operation of a drug court expires  
38 June 30, 2015.

1        NEW SECTION.    **Sec. 11.**    The following acts or parts of acts are  
2 each repealed:

3        (1) RCW 2.28.170 (Drug courts) and 2013 2nd sp.s. c 4 s 952, 2013  
4 2nd sp.s. c 4 s 951, 2013 c 257 s 5, 2009 c 445 s 2, 2006 c 339 s  
5 106, 2005 c 504 s 504, 2002 c 290 s 13, & 1999 c 197 s 9;

6        (2) RCW 2.28.175 (DUI courts) and 2013 2nd sp.s. c 35 s 2, 2013 c  
7 257 s 6, 2012 c 183 s 1, & 2011 c 293 s 10;

8        (3) RCW 2.28.180 (Mental health courts) and 2013 c 257 s 7, 2011  
9 c 236 s 1, & 2005 c 504 s 501;

10       (4) RCW 2.28.190 (DUI court, drug court, and mental health court  
11 may be combined) and 2013 c 257 s 8, 2011 c 293 s 11, & 2005 c 504 s  
12 502;

13       (5) RCW 13.40.700 (Juvenile gang courts—Minimum requirements—  
14 Admission—Individualized plan—Completion) and 2012 c 146 s 2;

15       (6) RCW 13.40.710 (Juvenile gang courts—Data—Reports) and 2012 c  
16 146 s 3;

17       (7) RCW 26.12.250 (Therapeutic courts) and 2005 c 504 s 503;

18       (8) RCW 2.28.165 (Specialty and therapeutic courts—Establishment  
19 — Principles of best practices—Limitations) and 2013 c 257 s 2; and

20       (9)        RCW    2.28.166    (Definition of "specialty court" and  
21 "therapeutic court") and 2013 c 257 s 4.

22       NEW SECTION.    **Sec. 12.**    Sections 1 through 4, 6, and 7 of this  
23 act constitute a new chapter in Title 2 RCW.

24       NEW SECTION.    **Sec. 13.**    If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 remainder of the act or the application of the provision to other  
27 persons or circumstances is not affected.

28       NEW SECTION.    **Sec. 14.**    If any part of this act is found to be in  
29 conflict with federal requirements that are a prescribed condition to  
30 the allocation of federal funds to the state, the conflicting part of  
31 this act is inoperative solely to the extent of the conflict and with  
32 respect to the agencies directly affected, and this finding does not  
33 affect the operation of the remainder of this act in its application  
34 to the agencies concerned. Rules adopted under this act must meet  
35 federal requirements that are a necessary condition to the receipt of  
36 federal funds by the state.

1        NEW SECTION.    **Sec. 15.**    Section 8 of this act expires July 1,  
2    2018.

3        NEW SECTION.    **Sec. 16.**    Section 9 of this act takes effect July  
4    1, 2018.

--- END ---