
SENATE BILL 5147

State of Washington

69th Legislature

2025 Regular Session

By Senator Torres

Prefiled 01/07/25.

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) One member from each of the two largest caucuses of the
21 senate, to be appointed by the president of the senate;

1 (ii) One member from each of the two largest caucuses of the
2 house of representatives, to be appointed by the speaker of the house
3 of representatives;

4 (iii) The secretary of the department of social and health
5 services or the secretary's designee;

6 (iv) The secretary of the department of corrections or the
7 secretary's designee;

8 (v) The director of the health care authority or the director's
9 designee;

10 (vi) The Washington state attorney general or the attorney
11 general's designee;

12 (vii) The director of the Washington state office of public
13 defense or the director's designee; and

14 (viii) Seventeen members to be appointed by the department of
15 social and health services meeting the descriptions identified in
16 (a)(viii)(A) through (O) of this subsection:

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

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

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

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

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

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

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

31 (H) One member designated by the national alliance on mental
32 illness Washington;

33 (I) An independent mental health professional with expertise in
34 forensics;

35 (J) A representative of a medicaid managed care organization;

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

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

40 (M) A representative of western state hospital;

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

2 (O) 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 shall provide staff support for
31 the legislative members of the task force. The department of social
32 and health services must provide reporting under RCW 43.18A.030.

33 (5) Legislative members of the task force are reimbursed for
34 travel expenses in accordance with RCW 44.04.120. Nonlegislative
35 members are not entitled to be reimbursed for travel expenses if they
36 are elected officials or are participating on behalf of an employer,
37 governmental entity, or other organization. Any reimbursement for
38 other nonlegislative members is subject to 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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