WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

February 25, 2022

TO: Judicial Information System Committee

FROM: Brittany Gregory, AOC Associate Director, Judicial and Legislative Relations

RE: 2022 Legislative Update

2022 Legislative Session

The impact of COVID-19 continues to alter the way the legislature conducts the 2022 legislative session. The House and Senate are operating remotely; however, a few legislators and staff are allowed on the House and Senate floor for the purposes of voting.

Tuesday, February 15 is the house of origin cutoff. Bills must be voted out of their chamber of origin by 5pm. Then the process starts all over again in the opposite house.

The policy committee cutoff in the opposite house is February 24, the fiscal committee cutoff is February 28, and the last day to consider a bill in the opposite house is March 4. Finally, the last day of the regular session is March 10.

The Governor has 5 days, excluding Sundays, to take action on any bill passed by the Legislature, provided adjournment does not occur within those 5 days.

2022 BJA Request Legislation

The Administrative Office of the Courts (AOC), on behalf of the Board for Judicial Administration (BJA), filed five agency request bills in the 2022 legislative session.

- **SB 5575**- SB 5575 requests two additional judge positions for Snohomish County Superior Court.
    - Prime sponsored by Senator John Lovick.
    - Passed out of the Senate Ways & Means Committee, referred to the Senate Rules Committee.

- **SB 5609**- SB 5609 eliminates fingerprinting at juvenile dispositions.
    - Prime sponsored by Senator Yasmin Trudeau.
    - Placed on the second reading calendar by Senate Rules Committee.

- **HB 1637**- HB 1637 would add mental health to the list of mitigating circumstances a judge can consider during sentencing.
    - Prime sponsored by Representative Tarra Simmons.
    - Passed out of the House Public Safety Committee, referred to House Rules Committee.

- **HB 1825**- HB 1825 creates a process for filling vacancies in single judge courts.
    - Prime sponsored by Representative Mary Dye.
    - Placed on the second reading calendar by House Rules Committee.

- **HB 1894**- HB 1894 broadens the extension for juvenile diversion agreements.
    - Prime sponsored by Representative Kirsten Harris-Talley.
    - Passed out of the House, referred to Senate Human Services, Reentry & Rehabilitation Committee.

Positions taken by the Board for Judicial Administration and/or Administrative Office of the Courts

AOC has taken a public position, or provided feedback, on the following bills that impact the judiciary:

- **HB 1735**- HB 1735 is a trailer bill for HB 1310, which modifies the standard for use of force by peace officers.
    - AOC testified as "other."
    - Bill has been amended to clarify that peace officers can use force, to the extent reasonably necessary, to execute oral commands by judicial officers in the courtroom.
    - Passed out of the House, scheduled for a public hearing in the Senate Law and Justice Committee on 2/8.

- **HB 1817-** HB 1817 amends the eligibility and requirements for deferred prosecutions.
    - AOC testified as "other."
    - Only minor concerns.
    - Passed out of the House Public Safety Committee, referred to the House Rules Committee.

- **HB 1901-** HB 1901 is a trailer bill for HB 1320, which provides technical fixes for provisions governing court jurisdiction over civil protection order proceedings.
    - AOC has remained neutral on HB 1901.
    - Prime sponsor has worked with judicial branch stakeholders, including AOC, to amend language in substitute bill.
    - Placed on second reading calendar by the House Rules Committee.

- **SB 5490-** SB 5490 creates an interbranch advisory committee.
  - BJA/AOC testified as "other."
  - BJA has no further concerns with the bill language, but feels we could have the committee without the statute.
  - Passed out of the Senate, referred to the House State Government & Tribal Relations Committee.

- **SB 5550**- SB 5550 applies the PRA to all courts and offices within the judicial branch.
  - BJA testified in opposition.
  - SB 5550 was heard in the Senate State Government & Elections Committee on 1/21, but did not get scheduled for an executive session.
  - Bill will most likely return next biennium.

- **SB 5663-** SB 5663 streamlines procedures for compliance with the *State v. Blake* decision.
  - AOC testified as "other."
  - Passed out of the Senate Ways & Means Committee, referred to the Senate Rules Committee.

- **SB 5772-** SB 5772 provides post-conviction access to counsel.
  - BJA signed in to support bill.
  - SB 5772 was scheduled for a public hearing in the Senate Ways & Means Committee on 2/4, but no executive action was taken by the Senate Ways & Means Committee.

- **SB 5931-** Court of Appeals (COA) request legislation amending the appointment process for COA judges pro tempore.
  - BJA signed in to support bill.
  - Passed out of the Senate Law and Justice Committee, referred to the Senate Rules Committee.

cc: Dawn Marie Rubio, State Court Administrator
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