

## TWENTY FOURTH DAY

## AFTERNOON SESSION

Senate Chamber, Olympia  
Wednesday, February 5, 2025

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Erik Pedersen and Miss Sanjana Lingamallu, presented the Colors.

Page Miss Lola Stephens led the Senate in the Pledge of Allegiance.

Pastor Brad Carlson of Yelm Prairie Christian Center offered the prayer.

## MOTIONS

On motion of Senator Riccelli the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

## REPORTS OF STANDING COMMITTEES

February 4, 2025

SB 5095 Prime Sponsor, Senator Dhingra: Concerning school districts' authority to contract indebtedness for school construction. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5095 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Harris, Ranking Member; Cortes; Hansen and Krishnadasan.

MINORITY recommendation: Do not pass. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

February 4, 2025

SB 5189 Prime Sponsor, Senator Wellman: Supporting the implementation of competency-based education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Harris, Ranking Member; Cortes; Hansen and Krishnadasan.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dozier.

Referred to Committee on Ways & Means.

February 4, 2025

SB 5210 Prime Sponsor, Senator Liias: Establishing the ninth grade success grant program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Harris, Ranking Member; Cortes; Hansen and Krishnadasan.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

February 4, 2025

SB 5335 Prime Sponsor, Senator Slatter: Establishing the rural nursing education program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5335 be substituted therefor, and the substitute bill do pass. Signed by Senators Orwall, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Bateman; Chapman; Christian; Harris; Holy; Riccelli; Robinson and Slatter.

Referred to Committee on Ways & Means.

February 3, 2025

SGA 9000 URIEL R. INIGUEZ, reappointed on September 18, 2019, for the term ending September 30, 2025, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9001 CONSTANCE W. RICE, appointed on October 21, 2019, for the term ending September 30, 2025, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9003 JEFFREY J. HENSLER, appointed on February 19, 2020, for the term ending September 30, 2025, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9008 THERESE N. PASQUIER, appointed on October 1, 2020, for the term ending September 30, 2025, as Member of the Pierce College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9009 KIMBERLY L. HARPER, appointed on October 1, 2020, for the term ending September 30, 2025, as Member of the Columbia Basin College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9013 JENETTE RAMOS, appointed on October 13, 2020, for the term ending September 30, 2026, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9014 MARIKO K. DOERNER, appointed on January 15, 2021, for the term ending September 30, 2025, as Member of the Skagit Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9015 ALICE PHILLIPS, appointed on March 8, 2021, for the term ending September 30, 2025, as Member of the Clover Park Technical College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9016 KIM WELLS, appointed on June 11, 2021, for

the term ending September 30, 2025, as Member of the Shoreline Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9017 JOHN SUK, appointed on October 1, 2021, for the term ending September 30, 2025, as Member of the Lake Washington Institute of Technology Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9018 ROSA PERALTA, reappointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9019 PRETRINA L. MULLINS, appointed on October 1, 2021, for the term ending September 30, 2025, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9020 KELLY A. SHEPHERD, appointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Everett Community College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

Referred to Committee on Rules for second reading.

February 3, 2025

SGA 9021 OZELL M. JACKSON III, appointed on October 1, 2021, for the term ending September 30, 2026, as Member of the Skagit Valley College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

candidates for these important Commission positions, before presentation to the Senate for confirmation. It will also allow for a process that advances the intent of RCW 77.04.040.

Referred to Committee on Rules for second reading.

Sincerely,

/s/

BOB FERGUSON  
Governor

February 3, 2025

SGA 9023 JOE W. FLOYD, appointed on October 12, 2021, for the term ending September 30, 2025, as Member of the Peninsula College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

Senator Riccelli moved that the Senate approve the Governor's request to return Senate Gubernatorial Appointments 9199 and 9200.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

The President declared the question before the Senate was the

Referred to Committee on Rules for second reading.

The President declared the question before the Senate to be the motion by Senator Riccelli that the Senate return Senate Gubernatorial Appointment No. 9199 and Senator Gubernatorial Appointment No. 9200 to the Office of the Governor.

February 3, 2025

SGA 9120 DAVID SCHUMACHER, reappointed on October 1, 2024, for the term ending September 30, 2030, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

ROLL CALL

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Nobles, Chair; Hansen, Vice Chair; Warnick, Ranking Member; Boehnke and Slatter.

The Secretary called the roll on the motion by Senator Riccelli and the motion carried by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Referred to Committee on Rules for second reading.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

MOTIONS

On motion of Senator Riccelli, all measures listed on the Standing Committee report were referred to the committees as designated.

Excused: Senators Saldaña and Trudeau.

On motion of Senator Riccelli, the Senate advanced to the third order of business.

MOTION

MESSAGE FROM THE GOVERNOR

On motion of Senator Riccelli, the Senate advanced to the fifth order of business.

January 21, 2025

INTRODUCTION AND FIRST READING

Sarah Bannister  
Secretary of the Senate  
312 Legislative Building  
PO Box 40482  
Olympia WA 98504-0482

SB 5662 by Senator Riccelli

AN ACT Relating to the waiver of municipal utility connection charges for certain properties; and amending RCW 35.92.385.

Dear Secretary Bannister:

Referred to Committee on Local Government.

As Governor of Washington, I respectfully request that the Senate return to the Governor's office the following two unconfirmed appointments made by the previous administration:

SB 5663 by Senators Slatter, and Nobles

AN ACT Relating to establishing a virtual campus for all Washingtonians; amending RCW 28B.50.090; and adding new sections to chapter 28B.50 RCW.

GA 9199 – Lynn T. O'Connor – Member, Fish and Wildlife Commission

Referred to Committee on Higher Education & Workforce Development.

GA 9200 – Timothy J. Ragen – Member, Fish and Wildlife Commission

SB 5664 by Senator Fortunato

AN ACT Relating to impaired driving; amending RCW 46.61.502, 46.61.504, 46.61.5055, 46.61.506, 46.20.308, 46.20.3101, 46.25.090, 38.38.760, and 79A.60.040; adding a new section to chapter 43.59 RCW; adding a new section to chapter 66.44 RCW; adding a new section to chapter 66.08 RCW; creating a new section; prescribing penalties;

In the first days of my administration, my office has received multiple letters, emails, and other correspondence from individuals, tribes, and other entities expressing a desire for a more extensive process for these appointments.

Returning these appointments will enable my office to interview and evaluate the qualifications of these and other

providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 5665 by Senator Fortunato

AN ACT Relating to reporting child sex abuse; amending RCW 26.44.020, 26.44.030, 28A.310.280, and 28A.300.040; and creating a new section.

Referred to Committee on Human Services.

SB 5666 by Senator Slatter

AN ACT Relating to establishing a public school-based mental health internship grant program; adding new sections to chapter 28B.77 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5667 by Senators Valdez, and Nobles

AN ACT Relating to establishing intercity passenger rail improvement priorities; and adding a new section to chapter 47.79 RCW.

Referred to Committee on Transportation.

SB 5668 by Senator Harris

AN ACT Relating to ensuring timely, efficient, and evidence-based additions to newborn screenings; amending RCW 70.83.020, 70.83.023, and 70.83.030; reenacting and amending RCW 43.79A.040 and 43.79A.040; adding a new section to chapter 70.83 RCW; adding a new section to chapter 43.70 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5669 by Senators Torres, and Short

AN ACT Relating to irrigation district elections; amending RCW 87.03.031, 87.03.032, 87.03.033, 87.03.045, 87.03.051, 87.03.071, 87.03.075, 87.03.085, and 87.03.105; adding new sections to chapter 87.03 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

SB 5670 by Senators McCune, Fortunato, Holy, Wilson, J., Boehnke, Dozier, Christian, Warnick, Wagoner, Goehner, Short, and Braun

AN ACT Relating to creating the fuel tax assistance grant program; amending RCW 70A.65.260; and adding a new section to chapter 28A.160 RCW.

Referred to Committee on Early Learning & K-12 Education.

SB 5671 by Senator Hansen

AN ACT Relating to modifying eligibility for the broadband service expansion grant and loan program; and amending RCW 43.155.160.

Referred to Committee on Environment, Energy & Technology.

SB 5672 by Senators Muzzall, and Cleveland

AN ACT Relating to delaying the home care aide certification requirements; amending RCW 18.88B.021; adding a new section to chapter 18.88B RCW; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5673 by Senator Boehnke

AN ACT Relating to providing a sales and use tax exemption for manufacturing facilities and green manufacturing facilities; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5674 by Senator Boehnke

AN ACT Relating to manufacturing facilities; adding a new section to chapter 84.36 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5675 by Senator Boehnke

AN ACT Relating to providing a business and occupation tax exemption for manufacturing facilities and green manufacturing facilities; adding a new section to chapter 82.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

## MOTIONS

On motion of Senator Riccelli, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

At 12:39 p.m., on motion of Senator Riccelli, the Senate was declared to be at ease for the purpose of caucuses.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

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The Senate was called to order at 1:25 p.m. by President Heck.

## MOTION

On motion of Senator Riccelli, the Senate advanced to the sixth order of business.

## SECOND READING

SENATE BILL NO. 5006, by Senators Pedersen, Holy, Nobles, and Wellman

Making updates to Washington's corporation acts.

The measure was read the second time.

## MOTION

On motion of Senator Pedersen, the rules were suspended,

TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

Senate Bill No. 5006 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Holy and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5006.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5006 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5006, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5016, by Senator Lovick

Concerning prearrangement funeral services.

The measure was read the second time.

MOTION

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5016 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5016.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5016 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5016, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5108, by Senators Kauffman, Dozier, and Nobles

Regulating service contracts and protection product guarantees.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Senate Bill No. 5108 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman and Dozier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5108.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5108 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5158, by Senators Valdez, Boehnke, and Nobles

Concerning student athlete insurance.

The measure was read the second time.

MOTION

On motion of Senator Valdez, the rules were suspended, Senate Bill No. 5158 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Valdez spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5158.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5158 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris,

Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5199, by Senators Wilson, C., Frame, Hasegawa, Lovelett, Lovick, Nobles, and Riccelli

Providing compensation to members of the department of children, youth, and families oversight board with direct lived experience.

The measure was read the second time.

#### MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5199 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5199.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5199 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5021, by Senators Wagoner, Dhingra, Dozier, and Wilson, J.

Concerning retention of court exhibits.

The measure was read the second time.

#### MOTION

On motion of Senator Wagoner, the rules were suspended, Senate Bill No. 5021 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner and Dhingra spoke in favor of passage of

the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5021.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5021 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5021, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5068, by Senators Lovick, Hansen, Dhingra, Frame, Hasegawa, Lias, Nobles, Salomon, Trudeau, Valdez, and Wellman

Concerning agencies, firefighters, prosecutors, and general or limited authority law enforcement, extending eligibility for employment to all United States citizens or persons legally authorized to work in the United States under federal law.

The measure was read the second time.

#### MOTION

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5068 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5068.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5068 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5068, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

SENATE BILL NO. 5181, by Senators Wilson, C., Pedersen, Dhingra, Frame, Lias, Lovick, Nobles, Stanford, Trudeau, and Wellman

Amending the parents rights initiative to bring it into alignment with existing law.

MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 5181 was substituted for Senate Bill No. 5181 and the substitute bill was placed on the second reading and read the second time.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5181, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wilson, C., Pedersen, Dhingra, Frame, Lias, Lovick, Nobles, Stanford, Trudeau, and Wellman)

Amending the parents rights initiative to bring it into alignment with existing law.

The measure was read the second time.

MOTION

Senator Warnick moved that the following floor amendment no. 0004 by Senator Warnick be adopted:

On page 3, beginning on line 15, after "(c)" strike all material through "~~Te~~" on line 20 and insert "To receive prior notification when medical services are being offered to their child, except where emergency medical treatment is required. In cases where emergency medical treatment is required, the parent and legal guardian must be notified as soon as practicable after the treatment is rendered;

(d) (~~Te~~)

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Senators Warnick, Short, Wagoner, Fortunato and Harris spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0004 by Senator Warnick on page 3, line 13 to Substitute Senate Bill No. 5181.

The motion by Senator Warnick did not carry and floor amendment no. 0004 was not adopted by voice vote.

MOTION

Senator Muzzall moved that the following floor amendment no. 0001 by Senator Muzzall be adopted:

On page 3, beginning on line 24, strike all material through "~~Follow-up~~" on line 26 and insert the following:

"~~(e)~~) To receive notification when the school has arranged directly or indirectly for medical treatment that results in follow-up care beyond normal school hours(~~-Follow-up~~)

On page 3, beginning on line 28, after "~~healing~~" strike all material through "~~(f)~~)" on line 29 and insert "~~process~~);

~~((f))~~ (d)"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Senators Muzzall, Braun, Fortunato and Short spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0001 by Senator Muzzall on page 3, line 24 to Substitute Senate Bill No. 5181.

The motion by Senator Muzzall did not carry and floor amendment no. 0001 was not adopted by rising vote.

MOTION

Senator Wagoner moved that the following floor amendment no. 0003 by Senator Wagoner be adopted:

On page 3, beginning on line 29, after "receive" strike all material through "information" on line 32 and insert "immediate notification ((if a criminal action is deemed to have))"

Senators Wagoner and Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0003 by Senator Wagoner on page 3, line 29 to Substitute Senate Bill No. 5181.

The motion by Senator Wagoner carried and floor amendment no. 0003 was adopted by voice vote.

MOTION

Senator Christian moved that the following floor amendment no. 0008 by Senator Christian be adopted:

On page 3, line 33, after "day" insert ", including immediate notification if there has been a shooting on school property,"

Senators Christian and Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0008 by Senator Christian on page 3, line 33 to Substitute Senate Bill No. 5181.

The motion by Senator Christian carried and floor amendment no. 0008 was adopted by voice vote.

MOTION

Senator Wagoner moved that the following floor amendment no. 0002 by Senator Wagoner be adopted:

On page 3, beginning on line 37, after "receive" strike all material through "hours" on line 38, and insert "immediate notification"

Senators Wagoner and Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0002 by Senator Wagoner on page 3, line 37 to Substitute Senate Bill No. 5181.

The motion by Senator Wagoner carried and floor amendment no. 0002 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Torres and without objection, floor amendment no. 0005 by Senator Torres on page 4, line 12 to

Engrossed Substitute Senate Bill No. 5181 was withdrawn.

#### MOTION

Senator McCune moved that the following floor amendment no. 0007 by Senator McCune be adopted:

On page 7, beginning on line 10, strike all material through "action." on line 12 and insert the following:

"((4) As used in this section "public school" has the same meaning as in RCW 28A.150.010.)"

Senators McCune and Braun spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0007 by Senator McCune on page 7, line 10 to Substitute Senate Bill No. 5181.

The motion by Senator McCune did not carry and floor amendment no. 0007 was not adopted by voice vote.

#### MOTION

Senator Christian moved that the following floor amendment no. 0006 by Senator Christian be adopted:

On page 7, beginning on line 13, strike all of section 2

On page 1, beginning on line 2 of the title, after "law;" strike the remainder of the title and insert "and amending RCW 28A.605.005."

The President declared the question before the Senate to be the adoption of floor amendment no. 0006 by Senator Christian on page 7, line 13 to Substitute Senate Bill No. 5181.

The motion by Senator Christian did not carry and floor amendment no. 0006 was not adopted by voice vote.

#### MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 5181 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Wellman, Lovelett and Trudeau spoke in favor of passage of the bill.

Senators Harris, Christian, McCune, Dozier, Fortunato and Goehner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5181.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5181 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Lias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### REMARKS BY THE PRESIDENT

President Heck: "Senator Christian, the President would like to point out that in previous remarks you referred to the President three times as Mr. Speaker. This Chamber once had a practice of fining members who made such an egregious error. We've abandoned it. We will consider reinstating it."

#### SECOND READING

SENATE BILL NO. 5191, by Senators Conway, Chapman, Cleveland, Nobles, and Stanford

Concerning paid family leave premium collection for dockworkers. Revised for 1st Substitute: Concerning paid family and medical leave premium collection for dockworkers.

#### MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5191 was substituted for Senate Bill No. 5191 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5191 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5191.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5191 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator Schoesler

SUBSTITUTE SENATE BILL NO. 5191, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE JOINT MEMORIAL NO. 8005, by Senators Hasegawa, Stanford, Trudeau, and Wellman

Requesting that Congress enact legislation that would reinstate the separation of commercial and investment banking functions that were in effect under the Glass-Steagall act.



TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

The measure was read the second time.

Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

#### MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Joint Memorial No. 8005 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senator Hasegawa spoke in favor of passage of the memorial.

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8005.

SENATE JOINT MEMORIAL NO. 8006, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5037, by Senators Holy, Pedersen, Dhingra, Nobles, Shewmake, and Wellman

Enacting the uniform custodial trust act.

The measure was read the second time.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8005 and the memorial passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Christian, MacEwen and Schoesler

SENATE JOINT MEMORIAL NO. 8005, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 5037 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5037.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5037 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

#### SECOND READING

SENATE JOINT MEMORIAL NO. 8006, by Senators Torres, and Hasegawa

Concerning the limited license legal technician program.

The measure was read the second time.

SENATE BILL NO. 5037, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5093, by Senators Dhingra, Wellman, Cleveland, Bateman, Pedersen, Wilson, C., Hasegawa, Liias, Nobles, Salomon, Slatter, Stanford, and Valdez

Concerning dignity in pregnancy loss.

#### MOTION

On motion of Senator Torres, the rules were suspended, Senate Joint Memorial No. 8006 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Torres and Dhingra spoke in favor of passage of the memorial.

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8006.

#### MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 5093 was substituted for Senate Bill No. 5093 and the substitute bill was placed on the second reading and read the second time.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8006 and the memorial passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler,

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 5093, by Senate Committee on Law & Justice (originally sponsored by Dhingra, Wellman, Cleveland, Bateman, Pedersen, Wilson, C., Hasegawa,

Liias, Nobles, Salomon, Slatter, Stanford, and Valdez)

Concerning dignity in pregnancy loss.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5093 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra spoke in favor of passage of the bill.

Senators Holy and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5093.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5093 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5071, by Senators Braun, Dhingra, Christian, Dozier, Fortunato, Gildon, King, Krishnadasan, McCune, Wagoner, Warnick, and Wilson, J.

Updating the endangerment with a controlled substance statute. Revised for 1st Substitute: Updating the endangerment with a controlled substance statute to include fentanyl or synthetic opioids.

#### MOTION

On motion of Senator Braun, Substitute Senate Bill No. 5071 was substituted for Senate Bill No. 5071 and the substitute bill was placed on the second reading and read the second time.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 5071, by Senate Committee on Law & Justice (originally sponsored by Braun, Dhingra, Christian, Dozier, Fortunato, Gildon, King, Krishnadasan, McCune, Wagoner, Warnick, and Wilson, J.)

Updating the endangerment with a controlled substance statute. Revised for 1st Substitute: Updating the endangerment with a controlled substance statute to include fentanyl or synthetic

opioids.

The measure was read the second time.

#### MOTION

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5071 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Dhingra and Wellman spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5071.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5071 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Gildon, Goehner, Hansen, Harris, Holy, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Orwall, Pedersen, Ramos, Riccelli, Robinson, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Valdez, Wagoner, Warnick, Wellman and Wilson, J.

Voting nay: Senators Frame, Hasegawa, Kauffman, Nobles, Saldaña, Trudeau and Wilson, C.

SUBSTITUTE SENATE BILL NO. 5071, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5122, by Senators Trudeau, Pedersen, Krishnadasan, Nobles, Salomon, and Wellman

Enacting the uniform antitrust premerger notification act.

The measure was read the second time.

#### MOTION

Senator Holy moved that the following floor amendment no. 0011 by Senator Holy be adopted:

On page 2, line 18, after "state;" insert "or"

On page 2, beginning on line 21, after "threshold" strike all material through "state" on line 23

On page 2, line 28, after "(1)(b)" strike "or (c)"

On page 4, beginning on line 5, after "section 3" strike "(1), (2), or (3)" and insert "(1) or (2)"

On page 4, beginning on line 16, strike all of section 9

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "act;" strike "amending RCW 19.390.060;"

Senator Holy spoke in favor of adoption of the amendment.

Senator Trudeau spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0011 by Senator Holy on page

TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

2, line 18 to Senate Bill No. 5122.

The motion by Senator Holy did not carry and floor amendment no. 0011 was not adopted by voice vote.

#### MOTION

On motion of Senator Trudeau, the rules were suspended, Senate Bill No. 5122 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau and Pedersen spoke in favor of passage of the bill.

Senator Holy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5122.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5122 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

SENATE BILL NO. 5122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5105, by Senators Orwall, Christian, Dhingra, Nobles, Salomon, Wellman, and Wilson, C.

Concerning offenses involving fabricated depictions of minors.

#### MOTION

On motion of Senator Orwall, Substitute Senate Bill No. 5105 was substituted for Senate Bill No. 5105 and the substitute bill was placed on the second reading and read the second time.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 5105, by Senate Committee on Law & Justice (originally sponsored by Orwall, Christian, Dhingra, Nobles, Salomon, Wellman, and Wilson, C.)

Concerning sexually explicit depictions of minors.

The measure was read the second time.

#### MOTION

Senator Dhingra moved that the following striking floor amendment no. 0009 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that rapid advancements in artificial intelligence and other digital tools have enabled users to easily create or alter images in a realistic manner, resulting in the widespread proliferation of fabricated depictions that are virtually indistinguishable from authentic images.

The legislature further finds that images of child sexual abuse have been reported in training datasets for artificial intelligence image generation, and that artificial intelligence and other digital tools are increasingly capable of generating realistic images of minors engaging in sexually explicit conduct.

The legislature further finds that artificial intelligence and other digital tools have introduced significant barriers to the detection and prosecution of crimes involving depictions of minors engaging in sexually explicit conduct, including by contributing to the increased volume of child sexual abuse material available online, facilitating the alteration of real images of child sexual abuse to evade conventional detection methods, and subverting conventional digital detection tools such as hash match identification.

The legislature further finds that even where a fabricated depiction of a minor engaging in sexually explicit conduct does not depict an identifiable victim, exposure to such material may nonetheless desensitize the creator and viewers to the sexual exploitation and abuse of minors, distort perceptions of healthy sexuality and relationships, and increase the likelihood of future victimization.

The legislature further finds that it has a legitimate and compelling interest in preventing the sexual exploitation and abuse of children, and that even fabricated depictions of such conduct are patently offensive and may be regulated without infringing on constitutionally protected activity.

Therefore, the legislature intends to expand Washington's existing prohibitions against fabricated depictions of minors engaged in sexually explicit conduct to include circumstances where the depicted minor is not identifiable.

Sec. 2. RCW 9.68A.011 and 2024 c 88 s 1 are each reenacted and amended to read as follows:

Unless the context clearly indicates otherwise, the definitions in this section apply throughout this chapter.

(1) "Digitization" means creating or altering any visual or printed matter to depict ~~((an identifiable))~~ a minor in a realistic manner utilizing images of another person or computer-generated images, regardless of whether such creation or alteration is accomplished manually or through an automated process. "Digitization" includes, but is not limited to, creation or alteration of any visual or printed matter by using artificial intelligence.

(2) "~~Fabricated ((depiction of an identifiable minor" and "fabricated depiction" mean))~~ depiction" means any visual or printed matter that ~~((depicts))~~ was created or altered by digitization to depict a minor ~~((who))~~ engaging in sexually explicit conduct and:

(a) The minor is identifiable from the matter itself or from information displayed with or otherwise connected to the matter ~~((, and that was created or altered by digitization to depict the minor engaging in sexually explicit conduct in which the minor did not actually engage)); or~~

(b) Is obscene.

(3) An "internet session" means a period of time during which an internet user, using a specific internet protocol address, visits or is logged into an internet site for an uninterrupted period of time.

(4) "Live performance" means any play, show, skit, dance, or other exhibition performed or presented to or before an audience

of one or more, with or without consideration.

(5) "Minor" means any person under (~~(eighteen)~~) 18 years of age.

(6) "Obscene" means any matter:

(a) Which the average person, applying contemporary community standards, would find, when considered as a whole, appeals to the prurient interest;

(b) Which the average person, applying contemporary community standards, would find explicitly depicts or describes patently offensive representations or descriptions of sexually explicit conduct; and

(c) Which, when considered as a whole, and in the context in which it is used, lacks serious literary, artistic, political, or scientific value.

(7) To "photograph" means to make a print, negative, slide, digital image, motion picture, or videotape. A "photograph" means anything tangible or intangible produced by photographing.

(~~(7)~~) (8) "Sexually explicit conduct" means actual or simulated:

(a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals;

(b) Penetration of the vagina or rectum by any object;

(c) Masturbation;

(d) Sadomasochistic abuse;

(e) Defecation or urination for the purpose of sexual stimulation of the viewer;

(f) Depiction of the genitals or unclothed pubic or rectal areas of any minor, or the unclothed breast of a female minor, for the purpose of sexual stimulation of the viewer. For the purposes of this subsection (~~(7)~~) (8)(f), it is not necessary that the minor know that he or she is participating in the described conduct, or any aspect of it; (~~and~~) or

(g) Touching of a person's clothed or unclothed genitals, pubic area, buttocks, or breast area for the purpose of sexual stimulation of the viewer.

(~~(8)~~) (9) "Visual or printed matter" means any photograph or other material that contains a reproduction of a photograph. "Visual or printed matter" includes, but is not limited to, any such photograph or other material that constitutes a fabricated depiction (~~of an identifiable minor~~).

**Sec. 3.** RCW 9.68A.050 and 2019 c 128 s 3 are each amended to read as follows:

(1)(a) A person (~~(eighteen)~~) 18 years of age or older commits the crime of dealing in depictions of a minor engaged in sexually explicit conduct in the first degree when he or she:

(i) Knowingly develops, duplicates, publishes, prints, disseminates, exchanges, finances, attempts to finance, or sells a visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (a) through (e); or

(ii) Possesses with intent to develop, duplicate, publish, print, disseminate, exchange, or sell any visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (a) through (e).

(b) Dealing in depictions of a minor engaged in sexually explicit conduct in the first degree is a class B felony punishable under chapter 9A.20 RCW.

(c) For the purposes of determining the unit of prosecution under this subsection, each depiction or image of visual or printed matter constitutes a separate offense.

(2)(a) A person (~~(eighteen)~~) 18 years of age or older commits the crime of dealing in depictions of a minor engaged in sexually explicit conduct in the second degree when he or she:

(i) Knowingly develops, duplicates, publishes, prints,

disseminates, exchanges, finances, attempts to finance, or sells any visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (f) or (g); or

(ii) Possesses with intent to develop, duplicate, publish, print, disseminate, exchange, or sell any visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (f) or (g).

(b) Dealing in depictions of a minor engaged in sexually explicit conduct in the second degree is a class B felony punishable under chapter 9A.20 RCW.

(c) For the purposes of determining the unit of prosecution under this subsection, each incident of dealing in one or more depictions or images of visual or printed matter constitutes a separate offense.

**Sec. 4.** RCW 9.68A.053 and 2019 c 128 s 4 are each amended to read as follows:

(1)(a)(i) A person under the age of (~~(eighteen)~~) 18 commits the crime of a minor dealing in depictions of another minor (~~(thirteen)~~) 13 years of age or older engaged in sexually explicit conduct in the first degree when he or she knowingly distributes, publishes, transfers, disseminates, or exchanges a visual or printed matter that depicts another minor (~~(thirteen)~~) 13 years of age or older engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (a) through (e).

(ii) Minor dealing in depictions of another minor (~~(thirteen)~~) 13 years of age or older engaged in sexually explicit conduct in the first degree is a gross misdemeanor.

(b)(i) A person under the age of (~~(eighteen)~~) 18 commits the crime of a minor dealing in depictions of another minor (~~(thirteen)~~) 13 years of age or older engaged in sexually explicit conduct in the second degree when he or she knowingly distributes, publishes, transfers, disseminates, or exchanges a visual or printed matter that depicts another minor (~~(thirteen)~~) 13 years of age or older engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (f) or (g).

(ii) Minor dealing in depictions of another minor (~~(thirteen)~~) 13 years of age or older engaged in sexually explicit conduct in the second degree is a misdemeanor.

(2)(a) A person under age (~~(eighteen)~~) 18 commits the crime of minor dealing in depictions of another minor (~~(twelve)~~) 12 years of age or younger engaged in sexually explicit conduct in the first degree when he or she:

(i) Knowingly develops, duplicates, publishes, prints, disseminates, exchanges, finances, attempts to finance, or sells a visual or printed matter that depicts another minor (~~(twelve)~~) 12 years of age or younger engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (a) through (e); or

(ii) Possesses with intent to develop, duplicate, publish, print, disseminate, exchange, or sell any visual or printed matter that depicts another minor (~~(twelve)~~) 12 years of age or younger engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~(4)~~) (8) (a) through (e).

(b) Minor dealing in depictions of another minor (~~(twelve)~~) 12 years of age or younger engaged in sexually explicit conduct in the first degree is a class B felony punishable under chapter 9A.20 RCW.

(3)(a) A person under age (~~(eighteen)~~) 18 commits the crime of minor dealing in depictions of another minor (~~(twelve)~~) 12 years of age or younger engaged in sexually explicit conduct in the second degree when he or she:

(i) Knowingly develops, duplicates, publishes, prints, disseminates, exchanges, finances, attempts to finance, or sells any visual or printed matter that depicts another minor (~~(twelve)~~) 12 years of age or younger engaged in an act of sexually explicit

TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (f) or (g); or

(ii) Possesses with intent to develop, duplicate, publish, print, disseminate, exchange, or sell any visual or printed matter that depicts another minor (~~((twelve))~~) 12 years of age or younger engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (f) or (g).

(b) Minor dealing in depictions of a minor (~~((twelve))~~) 12 years of age or younger engaged in sexually explicit conduct in the second degree is a class B felony punishable under chapter 9A.20 RCW.

(4)(a) Any person under the age of (~~((eighteen))~~) 18 commits the crime of minor financing or selling depictions of another minor engaged in sexually explicit conduct when he or she finances, attempts to finance, or sells a visual or printed matter that depicts a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (a) through (g).

(b) Minor financing or selling depictions of another minor engaged in sexually explicit conduct is a class B felony punishable under chapter 9A.20 RCW.

(5)(a) A person under the age of (~~((eighteen))~~) 18 commits the crime of minor selling depictions of himself or herself engaged in sexually explicit conduct when he or she sells a visual or printed matter that depicts himself or herself engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (a) through (g).

(b) Minor selling depictions of himself or herself engaged in sexually explicit conduct is a misdemeanor.

(6) This section does not apply to a person under (~~((eighteen))~~) 18 years of age who finances, attempts to finance, develops, duplicates, publishes, prints, disseminates, exchanges, or possesses a visual or printed matter that depicts himself or herself engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8).

(7) For the purposes of determining the unit of prosecution under this section, each depiction or image of visual or printed matter constitutes a separate offense.

**Sec. 5.** RCW 9.68A.060 and 2019 c 128 s 5 are each amended to read as follows:

(1)(a) Except as provided in subsections (3) and (4) of this section, a person commits the crime of sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the first degree when he or she knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, a visual or printed matter that depicts a minor engaged in sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (a) through (e).

(b) Sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the first degree is a class B felony punishable under chapter 9A.20 RCW.

(c) For the purposes of determining the unit of prosecution under this subsection, each depiction or image of visual or printed matter constitutes a separate offense.

(2)(a) Except as provided in subsections (3) and (4) of this section, a person commits the crime of sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the second degree when he or she knowingly sends or causes to be sent, or brings or causes to be brought, into this state for sale or distribution, any visual or printed matter that depicts a minor engaged in sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (f) or (g).

(b) Sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the second degree is a class B felony punishable under chapter 9A.20 RCW.

(c) For the purposes of determining the unit of prosecution under this subsection, each incident of sending or bringing into

the state one or more depictions or images of visual or printed matter constitutes a separate offense.

(3) This section does not apply to a minor who knowingly sends or causes to be sent, or brings or causes to be brought, into this state for distribution, visual or printed matter depicting any minor (~~((thirteen))~~) 13 years of age or older engaged in sexually explicit conduct.

(4) This section does not apply to a person under (~~((thirteen))~~) 13 years of age who knowingly sends or causes to be sent, or brings or causes to be brought, into this state for distribution, visual or printed matter depicting himself or herself engaged in sexually explicit conduct.

**Sec. 6.** RCW 9.68A.070 and 2019 c 128 s 6 are each amended to read as follows:

(1)(a) Except as provided in subsections (3) and (4) of this section, a person commits the crime of possession of depictions of a minor engaged in sexually explicit conduct in the first degree when he or she knowingly possesses a visual or printed matter depicting a minor engaged in sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (a) through (e).

(b) Possession of depictions of a minor engaged in sexually explicit conduct in the first degree is a class B felony punishable under chapter 9A.20 RCW.

(c) For the purposes of determining the unit of prosecution under this subsection, each depiction or image of visual or printed matter constitutes a separate offense.

(2)(a) Except as provided in subsections (3) and (4) of this section, a person commits the crime of possession of depictions of a minor engaged in sexually explicit conduct in the second degree when he or she knowingly possesses any visual or printed matter depicting a minor engaged in sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (f) or (g).

(b) Possession of depictions of a minor engaged in sexually explicit conduct in the second degree is a class B felony punishable under chapter 9A.20 RCW.

(c) For the purposes of determining the unit of prosecution under this subsection, each incident of possession of one or more depictions or images of visual or printed matter constitutes a separate offense.

(3) This section does not apply to a minor's possession of visual or printed matter depicting any minor (~~((thirteen))~~) 13 years of age or older engaged in sexually explicit conduct.

(4) This section does not apply to a person under (~~((thirteen))~~) 13 years of age in possession of visual or printed matter depicting himself or herself engaged in sexually explicit conduct.

**Sec. 7.** RCW 9.68A.075 and 2019 c 128 s 7 are each amended to read as follows:

(1) Except as provided in subsections (5) and (6) of this section, a person who intentionally views over the internet visual or printed matter depicting a minor engaged in sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (a) through (e) is guilty of viewing depictions of a minor engaged in sexually explicit conduct in the first degree, a class B felony punishable under chapter 9A.20 RCW.

(2) Except as provided in subsections (5) and (6) of this section, a person who intentionally views over the internet visual or printed matter depicting a minor engaged in sexually explicit conduct as defined in RCW 9.68A.011(~~((4))~~) (8) (f) or (g) is guilty of viewing depictions of a minor engaged in sexually explicit conduct in the second degree, a class C felony punishable under chapter 9A.20 RCW.

(3) For the purposes of determining whether a person intentionally viewed over the internet a visual or printed matter depicting a minor engaged in sexually explicit conduct in subsection (1) or (2) of this section, the trier of fact shall consider

the title, text, and content of the visual or printed matter, as well as the internet history, search terms, thumbnail images, downloading activity, expert computer forensic testimony, number of visual or printed matter depicting minors engaged in sexually explicit conduct, defendant's access to and control over the electronic device and its contents upon which the visual or printed matter was found, or any other relevant evidence. The state must prove beyond a reasonable doubt that the viewing was initiated by the user of the computer where the viewing occurred.

(4) For the purposes of this section, each separate internet session of intentionally viewing over the internet visual or printed matter depicting a minor engaged in sexually explicit conduct constitutes a separate offense.

(5) This section does not apply to a minor who intentionally views over the internet visual or printed matter depicting a minor (~~(thirteen)~~) 13 years of age or older engaged in sexually explicit conduct.

(6) This section does not apply to a person under (~~(thirteen)~~) 13 years of age who intentionally views over the internet visual or printed matter depicting himself or herself engaged in sexually explicit conduct.

**Sec. 8.** RCW 9.68A.110 and 2024 c 88 s 3 are each amended to read as follows:

(1) In a prosecution under RCW 9.68A.040, it is not a defense that the defendant was involved in activities of law enforcement and prosecution agencies in the investigation and prosecution of criminal offenses. Law enforcement and prosecution agencies shall not employ minors to aid in the investigation of a violation of RCW 9.68A.090 or 9.68A.100 through 9.68A.102, except for the purpose of facilitating an investigation where the minor is also the alleged victim and the:

(a) Investigation is authorized pursuant to RCW 9.73.230(1)(b)(ii) or 9.73.210(1)(b); or

(b) Minor's aid in the investigation involves only telephone or electronic communication with the defendant.

(2) In a prosecution under RCW 9.68A.050, 9.68A.060, 9.68A.070, or 9.68A.080, it is not a defense that the defendant did not know the age of the child depicted in the visual or printed matter. It is a defense, which the defendant must prove by a preponderance of the evidence, that at the time of the offense the defendant was not in possession of any facts on the basis of which he or she should reasonably have known that the person depicted was a minor.

(3) In a prosecution under RCW 9.68A.040, 9.68A.090, 9.68A.100, 9.68A.101, or 9.68A.102, it is not a defense that the defendant did not know the alleged victim's age. It is a defense, which the defendant must prove by a preponderance of the evidence, that at the time of the offense, the defendant made a reasonable bona fide attempt to ascertain the true age of the minor by requiring production of a driver's license, marriage license, birth certificate, or other governmental or educational identification card or paper and did not rely solely on the oral allegations or apparent age of the minor.

(4) In a prosecution under RCW 9.68A.050, 9.68A.060, 9.68A.070, or 9.68A.075, it shall be an affirmative defense that the defendant was a law enforcement officer or a person specifically authorized, in writing, to assist a law enforcement officer and acting at the direction of a law enforcement officer in the process of conducting an official investigation of a sex-related crime against a minor, or that the defendant was providing individual case treatment as a recognized medical facility or as a psychiatrist or psychologist licensed under Title 18 RCW. Nothing in chapter 227, Laws of 2010 is intended to in any way affect or diminish the immunity afforded an electronic communication service provider, remote computing service provider, or domain name registrar acting in the performance of

its reporting or preservation responsibilities under 18 U.S.C. Secs. 2258a, 2258b, or 2258c.

(5) In a prosecution under RCW 9.68A.050, 9.68A.060, 9.68A.070, or 9.68A.075, the state is not required to establish the identity of the alleged victim unless the charged offense involves a fabricated depiction as defined in RCW 9.68A.011(2)(a).

(6) In a prosecution under RCW 9.68A.070 or 9.68A.075, it shall be an affirmative defense that:

(a) The defendant was employed at or conducting research in partnership or in cooperation with any institution of higher education as defined in RCW 28B.07.020 or 28B.10.016, and:

(i) He or she was engaged in a research activity;

(ii) The research activity was specifically approved prior to the possession or viewing activity being conducted in writing by a person, or other such entity vested with the authority to grant such approval by the institution of higher education; and

(iii) Viewing or possessing the visual or printed matter is an essential component of the authorized research; or

(b) The defendant was an employee of the Washington state legislature engaged in research at the request of a member of the legislature and:

(i) The request for research is made prior to the possession or viewing activity being conducted in writing by a member of the legislature;

(ii) The research is directly related to a legislative activity; and

(iii) Viewing or possessing the visual or printed matter is an essential component of the requested research and legislative activity.

(7) In a prosecution under RCW 9.68A.050, 9.68A.053, 9.68A.060, 9.68A.070, or 9.68A.075 where the charged offense involves a fabricated depiction, (~~(#)~~) the state is not required to establish that the minor depicted actually exists. It is not a defense that the defendant lacked knowledge of whether the fabricated depiction had been created or altered by digitization, or that the defendant lacked knowledge of whether the minor depicted actually exists. For the purposes of this subsection (7), "fabricated depiction" has the same meaning as defined in RCW 9.68A.011(2)(b).

(8) Nothing in this section authorizes otherwise unlawful viewing or possession of visual or printed matter depicting a minor engaged in sexually explicit conduct.

**Sec. 9.** RCW 9.68A.040 and 1989 c 32 s 2 are each amended to read as follows:

(1) A person is guilty of sexual exploitation of a minor if the person:

(a) Compels a minor by threat or force to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance;

(b) Aids, invites, employs, authorizes, or causes a minor to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance; (~~(#)~~)

(c) Being a parent, legal guardian, or person having custody or control of a minor, permits the minor to engage in sexually explicit conduct, knowing that the conduct will be photographed or part of a live performance; or

(d) Knowingly causes a minor to be photographed or part of a live performance which depicts the minor engaged in sexually explicit conduct where the minor is unconscious or unaware of the photograph or recording.

(2) Sexual exploitation of a minor is a class B felony punishable under chapter 9A.20 RCW.

**NEW SECTION. Sec. 10.** A new section is added to chapter 9.68A RCW to read as follows:

(1) A person who, in the course of processing or producing visual or printed matter as part of an action to prevent, detect, protect against, report, or respond to the production, generation,

TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

incorporation, or synthesization through artificial intelligence of fabricated depictions, has reasonable cause to believe that the visual or printed matter depicts a minor engaged in sexually explicit conduct shall immediately report such incident, or cause a report to be made, to the proper law enforcement agency. Persons failing to do so are guilty of a gross misdemeanor.

(2) A person who makes a report in good faith under this section is immune from criminal liability resulting from the report.

**Sec. 11.** RCW 9A.04.080 and 2024 c 298 s 16 and 2024 c 297 s 11 are each reenacted and amended to read as follows:

(1) Prosecutions for criminal offenses shall not be commenced after the periods prescribed in this section.

(a) The following offenses may be prosecuted at any time after their commission:

- (i) Murder;
- (ii) Homicide by abuse;
- (iii) Arson if a death results;
- (iv) Vehicular homicide;
- (v) Vehicular assault if a death results;
- (vi) Hit-and-run injury-accident if a death results (RCW 46.52.020(4));
- (vii) Rape in the first degree (RCW 9A.44.040) if the victim is under the age of sixteen;
- (viii) Rape in the second degree (RCW 9A.44.050) if the victim is under the age of sixteen;
- (ix) Rape of a child in the first degree (RCW 9A.44.073);
- (x) Rape of a child in the second degree (RCW 9A.44.076);
- (xi) Rape of a child in the third degree (RCW 9A.44.079);
- (xii) Sexual misconduct with a minor in the first degree (RCW 9A.44.093);
- (xiii) Custodial sexual misconduct in the first degree (RCW 9A.44.160);
- (xiv) Child molestation in the first degree (RCW 9A.44.083);
- (xv) Child molestation in the second degree (RCW 9A.44.086);
- (xvi) Child molestation in the third degree (RCW 9A.44.089);
- (xvii) Sexual exploitation of a minor (RCW 9.68A.040);
- (xviii) Rape in the first degree (RCW 9A.44.040) if the perpetrator is a first responder as defined in RCW 70.54.430 and if the first responder used the first responder's position to facilitate the commission of the offense;
- (xix) Rape in the second degree (RCW 9A.44.050) if the perpetrator is a first responder as defined in RCW 70.54.430 and if the first responder used the first responder's position to facilitate the commission of the offense;
- (xx) Rape in the third degree (RCW 9A.44.060) if the perpetrator is a first responder as defined in RCW 70.54.430 and if the first responder used the first responder's position to facilitate the commission of the offense;
- (xxi) Trafficking (RCW 9A.40.100) if the victim is under the age of 18;
- (xxii) Commercial sexual abuse of a minor (RCW 9.68A.100);
- (xxiii) Promoting commercial sexual abuse of a minor (RCW 9.68A.101);
- (xxiv) Promoting travel for commercial sexual abuse of a minor (RCW 9.68A.102); and
- (xxv) Permitting commercial sexual abuse of a minor (RCW 9.68A.103).

(b) Except as provided in (a) of this subsection, the following offenses may not be prosecuted more than 20 years after its commission:

- (i) Rape in the first degree (RCW 9A.44.040);
  - (ii) Rape in the second degree (RCW 9A.44.050); or
  - (iii) Indecent liberties (RCW 9A.44.100).
- (c) The following offenses may not be prosecuted more than

~~((ten))~~ 10 years after its commission:

(i) Any felony committed by a public officer if the commission is in connection with the duties of his or her office or constitutes a breach of his or her public duty or a violation of the oath of office;

- (ii) Arson if no death results;
  - (iii) Rape in the third degree (RCW 9A.44.060);
  - (iv) Attempted murder; ~~((or))~~
  - (v) Trafficking under RCW 9A.40.100;
  - (vi) Dealing in depictions of a minor engaged in sexually explicit conduct in the first degree (RCW 9.68A.050(1));
  - (vii) Dealing in depictions of a minor engaged in sexually explicit conduct in the second degree (RCW 9.68A.050(2));
  - (viii) Possession of depictions of a minor engaged in sexually explicit conduct in the first degree (RCW 9.68A.070(1));
  - (ix) Possession of depictions of a minor engaged in sexually explicit conduct in the second degree (RCW 9.68A.070(2));
  - (x) Sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the first degree (RCW 9.68A.060(1));
  - (xi) Sending or bringing into the state depictions of a minor engaged in sexually explicit conduct in the second degree (RCW 9.68A.060(2));
  - (xii) Viewing depictions of a minor engaged in sexually explicit conduct in the first degree (RCW 9.68A.075(1)); or
  - (xiii) Viewing depictions of a minor engaged in sexually explicit conduct in the second degree (RCW 9.68A.075(2)).
- (d) A violation of this offense listed in this subsection (1)(d) may be prosecuted up to 10 years after its commission or, if committed against a victim under the age of 18, up to the victim's 30th birthday, whichever is later: RCW 9A.64.020 (incest).
- (e) A violation of RCW 9A.36.170 may be prosecuted up to 10 years after its commission, or if committed against a victim under the age of 18, up to the victim's 28th birthday, whichever is later.
- (f) The following offenses may not be prosecuted more than six years after its commission or discovery, whichever occurs later:
- (i) Violations of RCW 9A.82.060 or 9A.82.080;
  - (ii) Any felony violation of chapter 9A.83 RCW;
  - (iii) Any felony violation of chapter 9.35 RCW;
  - (iv) Theft in the first or second degree under chapter 9A.56 RCW when accomplished by color or aid of deception;
  - (v) Theft from a vulnerable adult under RCW 9A.56.400;
  - (vi) Trafficking in stolen property in the first or second degree under chapter 9A.82 RCW in which the stolen property is a motor vehicle or major component part of a motor vehicle as defined in RCW 46.80.010; or
  - (vii) Violations of RCW 82.32.290 (2)(a)(iii) or (4).
- (g) The following offenses may not be prosecuted more than five years after its commission: Any class C felony under chapter 74.09, 82.36, or 82.38 RCW.
- (h) Bigamy may not be prosecuted more than three years after the time specified in RCW 9A.64.010.
- (i) A violation of RCW 9A.56.030 may not be prosecuted more than three years after the discovery of the offense when the victim is a tax exempt corporation under 26 U.S.C. Sec. 501(c)(3).
- (j) No other felony may be prosecuted more than three years after its commission; except that in a prosecution under RCW 9A.44.115, if the person who was viewed, photographed, or filmed did not realize at the time that he or she was being viewed, photographed, or filmed, the prosecution must be commenced within two years of the time the person who was viewed or in the photograph or film first learns that he or she was viewed, photographed, or filmed.
- (k) No gross misdemeanor, except as provided under (e) of this subsection, may be prosecuted more than two years after its

commission.

(1) No misdemeanor may be prosecuted more than one year after its commission.

(2) The periods of limitation prescribed in subsection (1) of this section do not run during any time when the person charged is not usually and publicly resident within this state.

(3) In any prosecution for a sex offense as defined in RCW 9.94A.030, the periods of limitation prescribed in subsection (1) of this section run from the date of commission or four years from the date on which the identity of the suspect is conclusively established by deoxyribonucleic acid testing or by photograph as defined in RCW 9.68A.011, whichever is later.

(4) If, before the end of a period of limitation prescribed in subsection (1) of this section, an indictment has been found or a complaint or an information has been filed, and the indictment, complaint, or information is set aside, then the period of limitation is extended by a period equal to the length of time from the finding or filing to the setting aside.

**NEW SECTION. Sec. 12.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "minors;" strike the remainder of the title and insert "amending RCW 9.68A.050, 9.68A.053, 9.68A.060, 9.68A.070, 9.68A.075, 9.68A.110, and 9.68A.040; reenacting and amending RCW 9.68A.011 and 9A.04.080; adding a new section to chapter 9.68A RCW; creating a new section; and prescribing penalties."

Senators Dhingra and Holy spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 0009 by Senator Dhingra to Substitute Senate Bill No. 5105.

The motion by Senator Dhingra carried and striking floor amendment no. 0009 was adopted by voice vote.

#### MOTION

On motion of Senator Orwall, the rules were suspended, Engrossed Substitute Senate Bill No. 5105 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Orwall and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5105.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5105 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Orwall: "Thank you Mr. President. I just want to say it's an honor to serve in this chamber and there's a little gift coming around for all of you. Hopefully, Mr. President, yours arrives soon. But it is things from my district. Dilettante Chocolates, including some new flavors. Blackfish Distillery. La Huerta Market. Little tasty treats.

There's also, I just want to, I know this work is really hard and I just want to thank you all. You do make a difference. If you ever forget you do, please look at your pin. I also put in some extra pins because we work with amazing staff. So please feel free to pass them on.

And again, it's an honor to serve with you. Thank you."

President Heck: "Congratulations Senator Orwall."

[The Senate rose in applause to congratulate and welcome Senator Orwall to the Senate.]

#### SECOND READING

SENATE BILL NO. 5000, by Senators Wilson, J., Chapman, Christian, Cleveland, Dozier, Fortunato, Frame, Gildon, Krishnadasan, McCune, Nobles, Saldaña, Valdez, Wagoner, and Warnick

Adopting the evergreen state as the state nickname.

The measure was read the second time.

#### MOTION

On motion of Senator Wilson, J., the rules were suspended, Senate Bill No. 5000 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J. and Valdez spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5000.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5000 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5000, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Pederson announced a meeting of the Committee on Rules at 4:45 p.m.

#### MOTION



TWENTY FOURTH DAY, FEBRUARY 5, 2025

2025 REGULAR SESSION

At 4:20 p.m., on motion of Senator Riccelli, the Senate adjourned until 12:30 p.m. Thursday, February 6, 2025.

SARAH BANNISTER, Secretary of the Senate

DENNY HECK, President of the Senate

:Other Action .....	3	Other Action.....	8
5000		Second Reading .....	7, 8
Second Reading .....	16	Third Reading Final Passage .....	8
Third Reading Final Passage .....	16	5189	
5006		Committee Report.....	1
Second Reading .....	4	5191-S	
Third Reading Final Passage .....	5	Second Reading .....	8
5016		Third Reading Final Passage .....	8
Second Reading .....	5	5199	
Third Reading Final Passage .....	5	Second Reading .....	6
5021		Third Reading Final Passage .....	6
Second Reading .....	6	5210	
Third Reading Final Passage .....	6	Committee Report.....	1
5037		5335	
Second Reading .....	9	Committee Report.....	1
Third Reading Final Passage .....	9	5662	
5068		Introduction & 1st Reading.....	3
Second Reading .....	6	5663	
Third Reading Final Passage .....	6	Introduction & 1st Reading.....	3
5071		5664	
Second Reading .....	10	Introduction & 1st Reading.....	3
5071-S		5665	
Second Reading .....	10	Introduction & 1st Reading.....	4
Third Reading Final Passage .....	10	5666	
5093		Introduction & 1st Reading.....	4
Second Reading .....	9	5667	
5093-S		Introduction & 1st Reading.....	4
Second Reading .....	9, 10	5668	
Third Reading Final Passage .....	10	Introduction & 1st Reading.....	4
5095		5669	
Committee Report.....	1	Introduction & 1st Reading.....	4
5105		5670	
Second Reading .....	11	Introduction & 1st Reading.....	4
5105-S		5671	
Second Reading .....	11	Introduction & 1st Reading.....	4
Third Reading Final Passage .....	16	5672	
5108		Introduction & 1st Reading.....	4
Second Reading .....	5	5673	
Third Reading Final Passage .....	5	Introduction & 1st Reading.....	4
5122		5674	
Second Reading .....	10	Introduction & 1st Reading.....	4
Third Reading Final Passage .....	11	5675	
5158		Introduction & 1st Reading.....	4
Second Reading .....	5	8005	
Third Reading Final Passage .....	5	Second Reading .....	8
5181		Third Reading Final Passage .....	9
Second Reading .....	7	8006	
5181-S		Second Reading .....	9

Third Reading Final Passage .....	9	9019 Mullins, Pretrina L.	
9000 Iniguez, Uriel R.		Committee Report.....	2
Committee Report.....	1	9020 Shepherd, Kelly A.	
9001 Rice, Constance W.		Committee Report.....	2
Committee Report.....	1	9021 Jackson, Ozell M., III	
9003 Hensler, Jeffrey J.		Committee Report.....	2
Committee Report.....	1	9023 Floyd, Joe W.	
9008 Pasquier, Therese N.		Committee Report.....	3
Committee Report.....	2	9120 Schumacher, David	
9009 Harper, Kimberly L.		Committee Report.....	3
Committee Report.....	2	CHAPLAIN OF THE DAY	
9013 Ramos, Jenette		Carlson, Mr. Brad, Pastor, Yelm Prarie	
Committee Report.....	2	Christian Center .....	1
9014 Doerner, Mariko K.		FLAG BEARERS	
Committee Report.....	2	Lingamallu, Miss Sanjana.....	1
9015 Phillips, Alice		Pedersen, Mr. Erik .....	1
Committee Report.....	2	GUESTS	
9016 Wells, Kim		Stephens, Miss Lola, Pledge of Allegiance ..	1
Committee Report.....	2	MESSAGE FROM GOVERNOR .....	3
9017 Suk, John		PRESIDENT OF THE SENATE	
Committee Report.....	2	Remarks by the President.....	8
9018 Peralta, Rosa		WASHINGTON STATE SENATE	
Committee Report.....	2	Personal Privilege, Senator Orwall.....	16