

FOURTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, January 11, 2024

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

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

MESSAGE FROM THE SECRETARY OF STATE

**CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
I-2113**

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2113 to be examined in the following manner:

1. It was determined that 434, 594 signatures were submitted by the sponsors of the initiative. A random sample of 13,038 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,579 valid signatures, 2,447 signatures that were invalid and 12 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling 74 by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (84,039) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (26,039) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (23) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (15) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is

less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2113 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington, this 11th day of January, 2024.

/s/
STEVE HOBBS, Secretary of State

(Seal)

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
Administration Division
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

June 7, 2023

The Honorable Steve Hobbs
Elections Division
ATTN: Initiative and Referendum
POBox40220
Olympia, WA 98504-0220

Re: Initiative No. 2113

Dear Secretary Hobbs:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2113 to the Legislature (an act relating to restoring the authority of a peace officer to engage in a vehicular pursuit when there is reasonable suspicion a person has violated the law and the officer follows appropriate safety standards).

BALLOT TITLE

Statement of Subject: Initiative Measure No. 2113 concerns vehicular pursuits by peace officers.

Concise Description: This measure would remove certain restrictions on vehicular pursuits, allowing them upon conditions including an officer's reasonable suspicion a person has violated the law and poses a threat to the safety of others.

Should this measure be enacted into law? Yes [] No []

BALLOT MEASURE SUMMARY

This measure would remove certain restrictions on when peace officers may engage in vehicular pursuits. Such pursuits would be allowed when the officer has a reasonable suspicion a person has violated the law, pursuit is necessary to identify or apprehend the person, the person poses a threat to the safety of others, those safety risks are greater than those of the pursuit, and a supervisor authorizes the pursuit.

Sincerely,
/s/
ALEXIA DIORIO
Assistant Attorney General

Initiative Measure No. 2113
Filed May 25, 2023

AN ACT Relating to restoring the authority of a peace officer to engage in a vehicular pursuit when there is reasonable suspicion a person has violated the law and the officer follows appropriate safety standards; and amending RCW 10.116.060.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 10.116.060 and 2023 c 235 s 1 are each amended to read as follows:

(1) A peace officer may not engage in a vehicular pursuit, unless:

(a) There is reasonable suspicion ~~((to believe that))~~ a person ~~((in the vehicle has committed or is committing;~~

~~(i) A violent offense as defined in RCW 9A.01A.030;~~

~~(ii) A sex offense as defined in RCW 9.94A.030;~~

~~(iii) A vehicular assault offense under RCW 16.61.522;~~

~~(iv) An assault in the first, second, third, or fourth degree offense under chapter 9A.36 RCW only if the assault involves domestic violence as defined in RCW 10.99.020;~~

~~(v) An escape under chapter 9A.76 RCW; or~~

~~(vi) A driving under the influence offense under RCW 46.61.502)) has violated the law;~~

(b) The pursuit is necessary for the purpose of identifying or apprehending the person;

(c) The person poses a ~~((serious risk of harm to))~~ threat to the safety of others and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances; and

(d)(i) Except as provided in (d)(ii) of this subsection, the pursuing officer notifies a supervising officer immediately upon initiating the vehicular pursuit; there is supervisory oversight of the pursuit; and the pursuing officer, in consultation with the supervising officer, considers alternatives to the vehicular pursuit, the justification for the vehicular pursuit and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle;

(ii) For those jurisdictions with fewer than 15 commissioned officers, if a supervisor is not on duty at the time, the pursuing officer requests the on-call supervisor be notified of the pursuit according to the agency's procedures, and the pursuing officer considers alternatives to the vehicular pursuit, the justification for the vehicular pursuit, and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle.

(2) In any vehicular pursuit under this section:

(a) The pursuing officer and the supervising officer, if applicable, shall comply with any agency procedures for designating the primary pursuit vehicle and determining the appropriate number of vehicles permitted to participate in the vehicular pursuit;

(b) The supervising officer, the pursuing officer, or dispatcher shall notify other law enforcement agencies or surrounding jurisdictions that may be impacted by the vehicular pursuit or called upon to assist with the vehicular pursuit, and the pursuing officer and the supervising officer, if applicable, shall comply with any agency procedures for coordinating operations with other jurisdictions, including available tribal police departments when applicable;

(c) The pursuing officer must be able to directly communicate

with other officers engaging in the pursuit, the supervising officer, if applicable, and the dispatch agency, such as being on a common radio channel or having other direct means of communication;

(d) As soon as practicable after initiating a vehicular pursuit, the pursuing officer, supervising officer, if applicable, or responsible agency shall develop a plan to end the pursuit through the use of available pursuit intervention options, such as the use of the pursuit intervention technique, deployment of spike strips or other tire deflation devices, or other department authorized pursuit intervention tactics; and

(e) The pursuing officer must have completed an emergency vehicle operator's course, must have completed updated emergency vehicle operator training in the previous two years, where applicable, and must be certified in at least one pursuit intervention option. Emergency vehicle operator training must include training on performing the risk assessment analysis described in subsection (1)(c) of this section.

(3) A vehicle pursuit not meeting the requirements under this section must be terminated.

(4) A peace officer may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon. For the purposes of this subsection, a vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer.

(5) For purposes of this section, "vehicular pursuit" means an attempt by a uniformed peace officer in a vehicle equipped with emergency lights and a siren to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle and the operator of the moving vehicle appears to be willfully resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a reckless manner that endangers the safety of the community or the officer.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

January 10, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1113, and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

January 10, 2024

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1105,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277,
HOUSE BILL NO. 1471,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

FOURTH DAY, JANUARY 11, 2024

2024 REGULAR SESSION

SB 6153 by Senators Kuderer and Lovick

AN ACT Relating to peace officer hiring and certification; amending RCW 41.12.070, 41.12.100, 41.14.100, 41.14.130, 43.43.020, and 43.43.360; adding a new section to chapter 43.101 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 6154 by Senator Torres; by request of Secretary of State

AN ACT Relating to updating process service requirements for corporations in Washington state; amending RCW 4.28.080, 4.28.100, and 46.64.040; and repealing RCW 4.28.090.

Referred to Committee on Law & Justice.

SB 6155 by Senator Wagoner

AN ACT Relating to establishing a statewide policy on camping on public property; adding a new section to chapter 9A.52 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6156 by Senators Nobles and Trudeau

AN ACT Relating to increasing representation and voter participation in local elections; amending RCW 29A.60.221, 29A.52.112, 29A.52.220, 29A.24.010, 36.32.040, 36.32.050, 35A.12.040, 28A.343.320, 29A.04.410, 29A.12.080, and 29A.36.121; reenacting and amending RCW 29A.36.170; adding a new section to chapter 29A.52 RCW; adding a new section to chapter 29A.04 RCW; adding a new section to chapter 52.14 RCW; adding a new section to chapter 53.12 RCW; creating new sections; repealing RCW 29A.04.127; and providing an expiration date.

Referred to Committee on State Government & Elections.

SB 6157 by Senator Lovick

AN ACT Relating to reforming civil service to permit deferred action for childhood arrivals recipients to apply for civil service and incorporate civil service advantage for bilingual and multilingual applicants, applicants with higher education, and applicants with prior work experience in social services; amending RCW 9.41.060, 9.41.171, 41.08.070, 41.12.070, 41.14.100, 77.15.075, and 43.101.095; adding a new section to chapter 41.04 RCW; and adding a new section to chapter 10.93 RCW.

Referred to Committee on State Government & Elections.

SB 6158 by Senators Wilson, J. and Dozier

AN ACT Relating to public facilities districts; and amending RCW 82.14.390, 82.14.485, and 36.100.130.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 6159 by Senators Nobles and Pedersen; by request of Superintendent of Public Instruction

AN ACT Relating to adding the superintendent's designee to task forces and boards; and amending RCW 28A.305.011, 43.30.205, and 43.59.030.

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

SB 6160 by Senator MacEwen

AN ACT Relating to penalties for unlawfully obstructing traffic; amending RCW 9A.84.020 and 9A.84.030; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6161 by Senators Cleveland and Rivers

AN ACT Relating to provider contract compensation; adding a new section to chapter 48.43 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SB 6162 by Senators Schoesler and Pedersen

AN ACT Relating to a penalty for excessive fees for locating abandoned property held by a county; adding a new section to chapter 63.30 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6163 by Senators Wilson, J. and Lovelett

AN ACT Relating to biosolids; amending RCW 70A.226.005, 70A.226.007, 70A.226.010, 70A.226.020, and 70A.226.030; and adding a new section to chapter 70A.226 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6164 by Senator Wagoner

AN ACT Relating to county emergency management plans; and amending RCW 38.52.070.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 6165 by Senators Cleveland and Muzzall

AN ACT Relating to wellness programs for certain health care professionals; amending RCW 18.130.020 and 18.130.070; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6166 by Senators Saldaña and Torres

AN ACT Relating to extending the pesticide application safety committee; amending RCW 70.104.110; amending 2019 c 327 s 1 (uncodified); and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 6167 by Senator Hasegawa

AN ACT Relating to adopting the recommendations of the capital projects advisory review board regarding local government procurement rules among special purpose districts, first-class and second-class cities, and public utility districts; reenacting and amending RCW 54.04.070, 35.23.352, 35.22.620, 57.08.050, and 52.14.110; creating a new section; and providing an effective date.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 6168 by Senator Stanford

AN ACT Relating to renewing Washington's international leadership; amending RCW 43.290.005, 43.290.020, 43.330.065, 43.15.050, 43.15.060, and 43.15.090; adding new sections to chapter 43.290 RCW; adding a new section to chapter 44.04 RCW; and repealing RCW 43.15.085.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 6169 by Senators Wilson, L. and Wagoner

AN ACT Relating to increasing the potential pool of law enforcement hires by allowing active and retired law enforcement and military personnel to import certain firearms for personal use; amending RCW 9.41.390; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 6170 by Senators Wilson, L. and Mullet

AN ACT Relating to legislative oversight of moneys received from enforcement actions; amending RCW 43.79.270 and 43.10.220; adding a new section to chapter 43.79 RCW; creating a new section; and providing an effective date.

Referred to Committee on State Government & Elections.

SB 6171 by Senator Wilson, L.

AN ACT Relating to studying child care for criminal justice personnel; and creating a new section.

Referred to Committee on Human Services.

SB 6172 by Senators Nobles and Randall

AN ACT Relating to birth doula; amending RCW 18.47.010 and 18.47.030; and adding a new section to chapter 18.47 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6173 by Senators Nobles and Trudeau

AN ACT Relating to affordable and supportive housing sales and use taxes and encouraging investments in affordable homeownership unit development; and amending RCW 82.14.540.

Referred to Committee on Housing.

SB 6174 by Senator Wilson, J.

AN ACT Relating to coordinating the scheduling of mowing and litter pickup along state highways; amending RCW 70A.200.170; and creating a new section.

Referred to Committee on Transportation.

SB 6175 by Senators Trudeau and Billig

AN ACT Relating to housing affordability tax incentives for existing structures; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new chapter to Title 84 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Housing.

SB 6176 by Senator Wagoner

AN ACT Relating to addressing payments received due to a state enforcement action; and adding a new section to chapter 43.79 RCW.

Referred to Committee on State Government & Elections.

SB 6177 by Senators Stanford, Shewmake, Dhingra, Valdez, Saldaña, Conway, Keiser, Randall, Lias, Kauffman, Trudeau and Wellman

AN ACT Relating to establishing requirements for the disclosure of health care information for qualifying persons to receive paid family and medical leave benefits; amending RCW 70.02.030; and adding a new section to chapter 70.02 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6178 by Senators Randall, Torres, Nobles, Trudeau, Kuderer and Dhingra

AN ACT Relating to aligning the legend drug act to reflect the prescriptive authority for licensed midwives; and amending RCW 69.41.010 and 69.41.030.

Referred to Committee on Health & Long-Term Care.

SB 6179 by Senators MacEwen and Keiser

AN ACT Relating to the use of biometric age verification by liquor licensees; and amending RCW 66.20.170.

Referred to Committee on Labor & Commerce.

SB 6180 by Senator Lovick

AN ACT Relating to improving the outcomes associated with waste material management systems, including products affecting organic material management systems; amending RCW 70A.207.020, 70A.214.100, 70A.205.540, 70A.205.545, 15.130.300, 15.130.550, 70A.455.040, 70A.455.070, 70A.455.090, 15.04.420, and 43.19A.150; reenacting and amending RCW 70A.455.020; adding new sections to chapter 70A.207 RCW; adding a new section to chapter 43.23 RCW; adding new sections to chapter 70A.205 RCW; adding a new section to chapter 15.130 RCW; adding new sections to chapter 70A.455 RCW; adding a new section to chapter 19.27 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 6181 by Senator Lias

AN ACT Relating to law enforcement officer definition; amending RCW 43.101.010; and reenacting and amending RCW 10.93.020.

Referred to Committee on Law & Justice.

SB 6182 by Senator Rivers

AN ACT Relating to providing prescription drug coverage for the treatment of obesity; adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6183 by Senator Rivers

AN ACT Relating to requirements for fund-raising events of bona fide charitable or nonprofit organizations; amending RCW 9.46.0277, 9.46.0315, 9.46.0321, 9.46.0323, 9.46.070, and 9.46.240; and adding new sections to chapter 9.46 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 6184 by Senator Rivers

AN ACT Relating to deepfake artificial intelligence-generated pornographic material involving minors; amending RCW 9.68A.011; reenacting and amending RCW 9A.44.010 and 9.94A.515; adding a new section to chapter 9.68A RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6185 by Senators Lovelett, Kauffman and Wilson, C.

AN ACT Relating to adding two voting members that are transit users to the governing body of public transportation benefit areas; amending RCW 36.57A.050; and providing an effective date.

Referred to Committee on Transportation.

SB 6186 by Senators Kauffman and Dhingra

AN ACT Relating to disclosure of recipient location to the Washington state patrol for purposes of locating missing and murdered indigenous women and other missing and murdered indigenous persons; and amending RCW 74.04.062.

Referred to Committee on Human Services.

SB 6187 by Senator Saldaña

AN ACT Relating to the body scanner pilot program at the department of corrections; and amending RCW 72.09.775.

Referred to Committee on Human Services.

SB 6188 by Senator Boehnke

AN ACT Relating to authorizing authorities to address aerial firefighting aspects as part of permitting processes for communities at risk of wildfires; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 80.50 RCW; and creating new sections.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

SB 6189 by Senators Saldaña and Wilson, C.

AN ACT Relating to transparency, public safety, and independent oversight of the city, county, and regional jail system in Washington state; amending RCW 70.48.510; and adding a new chapter to Title 43 RCW.

Referred to Committee on Human Services.

SB 6190 by Senator Rivers

AN ACT Relating to requirements for fund-raising activities of bona fide charitable nonprofit organizations; amending RCW 9.46.0311 and 9.46.070; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 6191 by Senators Frame, Nguyen, Saldaña, Dhingra, Keiser, Wellman, Hunt, Hasegawa, Trudeau, Lovelett, Wilson, C., Stanford, Kuderer, Conway, Cleveland, Pedersen and Valdez

AN ACT Relating to increasing the supply of affordable and workforce housing by reducing taxes on real property sales under \$3,025,000, modifying the state and local real estate excise tax, and imposing a surcharge on the transfer of multimillion dollar properties; amending RCW 82.45.060, 82.45.010, and 82.45.010; adding new sections to chapter 82.45 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

MOTIONS

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

At 12:32 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Friday, January 12, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

1105-S		6171	
Messages	2	Introduction & 1st Reading.....	4
1113-SE		6172	
Messages	2	Introduction & 1st Reading.....	4
1277-SE		6173	
Messages	2	Introduction & 1st Reading.....	4
1471		6174	
Messages	2	Introduction & 1st Reading.....	4
1652-SE		6175	
Messages	2	Introduction & 1st Reading.....	4
6153		6176	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	4
6154		6177	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	4
6155		6178	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	4
6156		6179	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	4
6157		6180	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	4
6158		6181	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	4
6159		6182	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	4
6160		6183	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6161		6184	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6162		6185	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6163		6186	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6164		6187	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6165		6188	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6166		6189	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6167		6190	
Introduction & 1st Reading.....	3	Introduction & 1st Reading.....	5
6168		6191	
Introduction & 1st Reading.....	4	Introduction & 1st Reading.....	5
6169		MESSAGE FROM THE SECRETARY OF	
Introduction & 1st Reading.....	4	STATE	
6170		Initiative 2113, Vehicular pursuits by peace	
Introduction & 1st Reading.....	4	officers	1