



LWV
LEAGUE OF
WOMEN VOTERS®
OF WASHINGTON

Legislative NEWSLETTER

Empowering all Washingtonians to engage in a more responsible & responsive democracy

This Week in the Legislature

The 2023 Legislative Session Has *Really* Ended Now!

Sine Die

Although *sine die* (the official end of the 2023 regular Legislative session) happened on April 23, it wasn't entirely clear until this week exactly what bills would become law. Since the Governor had until May 16 to sign or veto bills that passed the Legislature – or those bills would become law without his signature – the League's Lobby Team was still tracking the progress of the legislation they worked on. We are thrilled to report that all of the bills we supported which passed both chambers of the Legislature were signed by the Governor!

Special Session

Additionally, this past week saw not only the bill signing deadline but also was the occasion of perhaps the shortest special session ever—to determine the penalties for drug possession.

By way of background, in 2021, the Washington Supreme Court ruled in *State v. Blake* that the state statute criminalizing drug possession was unconstitutional as applied to individuals who unknowingly possessed drugs. The legislature rushed to address the *Blake* decision by passing SB 5476, which made knowingly possession drugs a misdemeanor and mandating pretrial diversion for the first two offenses. The bill included an expiration date of July 1, 2023, so if the legislature didn't pass a new bill this year, determining the penalties for drug possession would be left up to local jurisdictions.

Fast forward to 2023, when lawmakers introduced several bills to address the *Blake* issue. [SB 5536](#) became the primary vehicle and passed the Senate 28-21, with several Democrats voting no because they believed the bill was too harsh, and several Republicans voting no because they believed it wasn't harsh enough. A less punitive version of the bill passed the House 54-41 along similar lines. After the Senate refused to concur in the House amendments, a conference committee was appointed and submitted a report more aligned with the Senate version of the bill. In a surprising turn of events, the bill failed to pass the House on the last day of the regular session with a vote of 43-55. None of the Republicans voted for the revised version of the bill, and several Democrats voted against it as being too punitive.

With no statewide *Blake* fix, local jurisdictions began passing their own legislation to criminalize drug possession. However, Governor Inslee made another attempt at a statewide resolution, calling for a special session to begin May 16.

The day before the special session began, legislators announced an agreement, and both houses quickly passed a revised version of SB 5536. The bill passed 43-6 in the Senate and 83-13 in the House, with a few Democrats voting no because the penalties were too harsh, and a few Republicans voting no because the penalties weren't harsh enough. The governor quickly signed the bill into law, and it goes into effect July 1, 2023, when the current legislation expires.

The New Bill

The final legislation defines possession and a new offense of public drug use as gross misdemeanors, punishable by a maximum of 180 days for the first two offenses and 364 for subsequent offenses and a maximum fine of \$1,000.

It also encourages (but does not require) diversion to drug treatment programs
Includes \$62.9 million for services and programs to address substance use disorder
Allows local jurisdictions to set their own rules regarding drug paraphernalia, which includes harm reduction strategies such as needle exchanges

LWVWA advocated for [SB 5624](#), which included the recommendations of the statewide Substance Use Recovery Services Advisory Committee. This committee was created as part of the initial legislative response to the *Blake* decision and included stakeholders from across the board. SB 5624 recognized that substance use disorder should be treated as a public health issue rather than a criminal justice issue. We are disappointed that SB 5536 continues to emphasize punishment over treatment but are pleased to see the investment in services that have been proven to work.

In Conclusion

We applaud so much of what the Legislature accomplished this year. However, one disappointment from the 2023 session was the lack of movement on progressive taxes to make the tax system more equitable and raise additional funding for unmet needs.

So we are "in recess" now for the interim until preparations for the 2024 session begin in the Fall. Bills that did not pass in this session are still active in the 2024, the second year of the biennium.

The League thanks each and every [Lobby Team](#) issue chair, advocate and newsletter production staff for their tireless work—and all of you who have read this newsletter throughout the session and helped our progress by communicating with the Legislature. We also thank the Legislature for their hard work and more-than-usual bipartisanship this year.



The 2023 Legislative Issues

LWVWA Legislative Issues From the 2023 Washington State Legislative Session

Click on an issue to learn more about session results on bills the League supported and "This Week's Updates" to read the issue chair's report on this past week. When a "⚠️" appears next to an update, it indicates there are actions to take for this week. Click on the "⚠️" to be taken to our Action Alerts page.

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The League of Women Voters is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

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