



MEMORANDUM

DATE: September 19, 2023
TO: Senate Law & Justice Committee
FROM: Ryan Giannini, Staff Counsel
SUBJECT: *2022 and 2023 Passed Domestic Violence Legislation*

| Bill Number | Bill Title | Summary |
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| <u>SHB 1593</u> (2022) | Expanding the landlord mitigation program to alleviate the financial burden on victims attempting to flee domestic violence, sexual assault, unlawful harassment, or stalking. | <ul style="list-style-type: none">• Expands the Landlord Mitigation Program to allow landlords' claims for damages to residential rental property when a tenant-victim of domestic violence, sexual assault, unlawful harassment, or stalking terminates the tenancy and certain other conditions are met. |
| <u>SHB 1901</u> (2022) | Updating laws concerning civil protection orders to further enhance and improve their efficacy and accessibility. | <ul style="list-style-type: none">• Revises provisions governing court jurisdiction over civil protection order proceedings.• Includes coercive control in the definition of domestic violence for purposes of seeking a civil protection order.• Requires the Gender and Justice Commission to consider a study on the impact of including coercive control in the definition of domestic violence.• Revises procedures and standards for filing and service of protection order petitions.• Establishes a rebuttable presumption that an ex parte DVPO petitioner's minor children should be included in the protection order.• Addresses violations and enforcement by specifying required court appearances following an arrest or criminal charge. |
| <u>ESSB 5245</u> (2022) | Concerning the safety of crime victims. | <ul style="list-style-type: none">• Expands DOC's victim and witness notification program to include notification regarding parole, release, community custody, work release placement, furlough, or escape of |

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| | | <p>individuals convicted of certain crimes including domestic violence.</p> <ul style="list-style-type: none"> Exempts information and records prepared, owned, used, or retained by WASPC pertaining to a notification regarding any specific individual, or the identity or information of any person who registers to be notified, from the Public Records Act. |
| <u>SB 5612</u> (2022) | Ensuring domestic violence victims and survivors of victims have the opportunity to make a statement during sentencing for all domestic violence convictions. | <ul style="list-style-type: none"> Enables victims and survivors of victims to present a statement personally or by representation at the sentencing hearing for convictions involving domestic violence. Prosecuting attorneys must notify victims or survivors of victims of the date, time, and place of the trial and of the sentencing hearing upon request by victims or survivors of victims in any domestic violence case. |
| <u>ESHB 1533</u> (2023) | Exempting the disclosure of certain information of agency employees or their dependents who are survivors of domestic violence, sexual assault, harassment, or stalking. | <ul style="list-style-type: none"> Exempts personally identifying information of public employees from public disclosure requirements if the employee provides a sworn statement, subject to renewal every two years, that the employee or a dependent is a survivor of domestic violence, sexual assault or abuse, stalking, or harassment, or demonstrates that the employee or dependent participates in the Address Confidentiality Program. Creates an exception to the exemption for disclosure to the news media. Requires a Joint Legislative Audit and Review Committee report to the Legislature on the impacts of the exemption. |
| <u>SHB 1562</u> (2023) | Reducing the risks of lethality and other harm associated with gun violence, gender-based violence, and other types of violence. | <ul style="list-style-type: none"> Includes misdemeanor and gross misdemeanor domestic violence offenses as disqualifying offenses for a person to unlawfully possess a firearm. Allows a person to file a petition to restore firearm rights if certain conditions are met, including not being convicted or found not guilty by reason of insanity of a misdemeanor or |

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| | | gross misdemeanor domestic violence offense in the preceding five years. |
| <u>E2SHB 1715</u> (2023) | Enacting comprehensive protections for victims of domestic violence and other violence involving family members or intimate partners. | <ul style="list-style-type: none"> • Requires the adoption of rules on electronic monitoring with victim notification technology. • Makes changes to civil protection orders. • Makes changes to provisions regarding crimes of domestic violence. • Makes changes to the firearms or dangerous weapons surrender process. • Makes changes to the Address Confidentiality Program and personal financial affairs reports filed with the Public Disclosure Commission. • Creates a pilot program for domestic violence high-risk teams. • Requires the University of Washington to develop a plan for a Center of Excellence in Research, Policy, and Practice to Reduce Domestic Violence. • Expands training for law enforcement and judicial officers regarding domestic violence. |
| <u>SB 5070</u> (2023) | Concerning victims of nonfatal strangulation | <ul style="list-style-type: none"> • Strikes the June 30, 2023, expiration date for the Crime Victim's Compensation Program coverage of forensic examinations of nonfatal strangulation for victims of domestic violence. • Removes the past requirement of the Department of Labor and Industries to report to the Legislature by October 1, 2022 regarding nonfatal strangulation examinations. |
| <u>ESSB 5231</u> (2023) | Concerning the issuance of emergency domestic violence no contact orders. | <ul style="list-style-type: none"> • Addresses requirements for courts and peace officers in domestic violence cases relating to issuance of pretrial no-contact orders. • Expands the relief a court may include in a pretrial no-contact order and requires the court to consider whether to |

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| | | <p>issue an extreme risk protection order against the defendant.</p> <ul style="list-style-type: none"> • Allows a peace officer to request an emergency no-contact order, order to surrender and prohibit weapons, or extreme risk protection order on behalf of a victim and establishes standards for issuance and service of emergency orders. |
| <u>SSB 5398</u> (2023) | <p>Concerning domestic violence funding allocation.</p> | <ul style="list-style-type: none"> • Directs the Department of Social and Health Services Domestic Violence Services Program to convene a workgroup to review and update the formula used to determine the allocation of funding for domestic violence victim services agencies and provide a copy of the recommendations to the Legislature by December 1, 2024. |