

SHB 1460 - S COMM AMD

By Committee on Law & Justice

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 7.105.352 and 2023 c 308 s 2 are each amended to
4 read as follows:

5 (1) The administrative office of the courts shall develop a
6 program for the issuance of protection order hope cards (~~in~~
7 ~~scannable electronic format by superior and district courts~~). The
8 administrative office of the courts shall develop and implement the
9 program in collaboration with the Washington state superior court
10 judges' association, the Washington state district and municipal
11 court judges' association, the Washington state association of county
12 clerks, association of Washington superior court administrators,
13 district and municipal court management association, (~~and~~) the
14 Washington association of sheriffs and police chiefs, (~~and shall~~
15 ~~make reasonably feasible efforts to solicit and incorporate input~~
16 ~~from appropriate stakeholder groups, including representatives from~~
17 ~~victim advocacy groups,~~) the Washington supreme court gender and
18 justice commission, representatives from gender-based violence
19 survivor advocacy and legal assistance organizations, law enforcement
20 agencies, and the department of licensing. The card design and
21 program implementation must use a trauma-informed approach and
22 prioritize protection from harm.

23 (2)(a) A hope card must be in a scannable electronic format
24 including, but not limited to, a barcode, data matrix code, or a
25 quick response code, and must contain, without limitations, the
26 following:

27 (i) The restrained person's name(~~(r)~~) and date of birth(~~(r-sex,~~
28 ~~race, eye color, hair color, height, weight, and other distinguishing~~
29 ~~features)~~);

1 (ii) The protected person's or persons' name and date of birth
2 and the names and dates of birth of any minor children protected
3 under the order; ~~((and))~~

4 (iii) Information about the protection order including, but not
5 limited to, the issuing court, the case number, and the date of
6 issuance and date of expiration of the order ~~((, and the relevant
7 details of the order, including any locations from which the person
8 is restrained))~~; and

9 (iv) To reduce risk of lethality and other harm for the
10 petitioner, any other protected persons, and responding law
11 enforcement officers, information about any orders prohibiting the
12 restrained person from accessing, having custody or control,
13 possessing, purchasing, receiving, or attempting to purchase or
14 receive any firearms, other dangerous weapons, or concealed pistol
15 license, including any orders to surrender and prohibit weapons or
16 extreme risk protection orders. The information shall include, but is
17 not limited to, the issuing court, case number, date of issuance,
18 date of expiration, and status of compliance for each order.

19 (b) ~~((If feasible, the))~~ The information stored in a scannable
20 electronic format and accessible through a barcode, data matrix code,
21 or a quick response code must include a digital record of the
22 protection order as entered and provide access to the entire case
23 history, including the petition for protection order, petition
24 attachments, petitioner statement, declaration, temporary order,
25 hearing notice, ~~((and))~~ protections and restraints ordered, including
26 firearm prohibitions, proof of service, proof of compliance with any
27 order to relinquish firearms, and any violations of the order.

28 (3) Commencing on January 1, 2025, a person who has been issued a
29 valid full protection order may request a hope card from the clerk of
30 the issuing court at the time the order is entered ~~((or))~~, so that
31 there is not a waiting period to receive the card, there are not
32 additional steps the petitioner must later take, and so that the
33 petitioner may be assisted by an interpreter if one was assisting the
34 petitioner at the hearing. If a card is not requested at that time,
35 one may be requested at any time prior to the expiration of the order
36 from the administrative office of the courts.

37 (4) A person requesting a hope card may not be charged a fee for
38 the issuance of ~~((an original and one duplicate))~~ a hope card.

39 (5) A hope card has the same effect as the underlying protection
40 order.

1 (6) For the purposes of this section, "full protection order"
2 ((means)) has the meaning defined in RCW 7.105.010, and includes a
3 domestic violence protection order, a sexual assault protection
4 order, a stalking protection order, a vulnerable adult protection
5 order, ((or)) an antiharassment protection order, or an extreme risk
6 protection order, as defined in this chapter.

7 NEW SECTION. Sec. 2. A new section is added to chapter 2.56 RCW
8 to read as follows:

9 The administrative office of the courts shall ensure that the
10 information required in RCW 7.105.352 is provided by each court,
11 including through use of consistent court codes, reporting
12 mechanisms, and database entry."

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13 On page 1, line 1 of the title, after "cards;" strike the
14 remainder of the title and insert "amending RCW 7.105.352; and adding
15 a new section to chapter 2.56 RCW."

- EFFECT: (1) Changes provision for input from stakeholder groups and adds certain stakeholders.
(2) Requires a certain approach and priority for the program.
(3) Requires cards be in a scannable electronic format.
(4) Requires cards include additional information.
(5) Requires that protected persons be able to request cards from the clerk of the issuing court when the order is issued.
(6) Modifies definition of "full protection order" and includes extreme risk protection orders.
(7) Directs the administrative office of the courts to ensure card information is provided.
(8) Removes null and void clause.

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