

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE SENATE BILL 5763

Chapter 504, Laws of 2005

(partial veto)

59th Legislature
2005 Regular Session

MENTAL AND SUBSTANCE ABUSE DISORDERS

11 NEW SECTION. Sec. 804. A new section is added to chapter 82.14
12 RCW to read as follows:

13 (1) A county legislative authority may authorize, fix, and impose
14 a sales and use tax in accordance with the terms of this chapter.

15 (2) The tax authorized in this section shall be in addition to any
16 other taxes authorized by law and shall be collected from those persons
17 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
18 the occurrence of any taxable event within the county. The rate of tax
19 shall equal one-tenth of one percent of the selling price in the case
20 of a sales tax, or value of the article used, in the case of a use tax.

21 (3) Moneys collected under this section shall be used solely for
22 the purpose of providing new or expanded chemical dependency or mental
23 health treatment services and for the operation of new or expanded
24 therapeutic court programs. Moneys collected under this section shall
25 not be used to supplant existing funding for these purposes.

19 NEW SECTION. Sec. 503. A new section is added to chapter 26.12
20 RCW to read as follows:

21 (1) Every county that authorizes the tax provided in section 804 of
22 this act shall, and every county may, establish and operate a
23 therapeutic court component for dependency proceedings designed to be
24 effective for the court's size, location, and resources. A county with
25 a drug court for criminal cases or with a mental health court may
26 include a therapeutic court for dependency proceedings as a component
27 of its existing program.

28 (2) For the purposes of this section, "therapeutic court" means a
29 court that has special calendars or dockets designed for the intense
30 judicial supervision, coordination, and oversight of treatment provided
31 to parents and families who have substance abuse or mental health
32 problems and who are involved in the dependency and is designed to
33 achieve a reduction in:

- 34 (a) Child abuse and neglect;
- 35 (b) Out-of-home placement of children;
- 36 (c) Termination of parental rights; and

1 (d) Substance abuse or mental health symptoms among parents or
2 guardians and their children.

3 (3) To the extent possible, the therapeutic court shall provide
4 services for parents and families co-located with the court or as near
5 to the court as practicable.

6 (4) The department of social and health services shall furnish
7 services to the therapeutic court unless a court contracts with
8 providers outside of the department.

9 (5) Any jurisdiction that receives a state appropriation to fund a
10 therapeutic court must first exhaust all federal funding available for
11 the development and operation of the therapeutic court and associated
12 services.

13 (6) Moneys allocated by the state for a therapeutic court must be
14 used to supplement, not supplant, other federal, state, local, and
15 private funding for court operations and associated services under this
16 section.

17 (7) Any county that establishes a therapeutic court or receives
18 funds for an existing court under this section shall:

- 19 (a) Establish minimum requirements for the participation in the
20 program; and
- 21 (b) Develop an evaluation component of the court, including
22 tracking the success rates in graduating from treatment, reunifying
23 parents with their children, and the costs and benefits of the court.