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SENATE BILL 5819

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State of Washington

61st Legislature

2009 Regular Session

By Senator Kline

Read first time 02/03/09. Referred to Committee on Judiciary.

1 AN ACT Relating to increasing the proportion of state public  
2 defense funding that constitute city moneys; and amending RCW  
3 10.101.070 and 10.101.080.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 10.101.070 and 2005 c 157 s 5 are each amended to read  
6 as follows:

7 The moneys shall be distributed to each county determined to be  
8 eligible to receive moneys by the office of public defense as  
9 determined under this section. (~~Ninety~~) fifty-eight percent of the  
10 funding appropriated shall be designated as "county moneys" and shall  
11 be distributed as follows:

12 (1) Six percent of the county moneys appropriated shall be  
13 distributed as a base allocation among the eligible counties. A  
14 county's base allocation shall be equal to this six percent divided by  
15 the total number of eligible counties.

16 (2) Ninety-four percent of the county moneys appropriated shall be  
17 distributed among the eligible counties as follows:

18 (a) Fifty percent of this amount shall be distributed on a pro rata

1 basis to each eligible county based upon the population of the county  
2 as a percentage of the total population of all eligible counties; and

3 (b) Fifty percent of this amount shall be distributed on a pro rata  
4 basis to each eligible county based upon the annual number of criminal  
5 cases filed in the county superior court as a percentage of the total  
6 annual number of criminal cases filed in the superior courts of all  
7 eligible counties.

8 (3) Under this section:

9 (a) The population of the county is the most recent number  
10 determined by the office of financial management;

11 (b) The annual number of criminal cases filed in the county  
12 superior court is determined by the most recent annual report of the  
13 courts of Washington, as published by the office of the administrator  
14 for the courts;

15 (c) Distributions and eligibility for distributions in the 2005-  
16 2007 biennium shall be based on 2004 figures for the annual number of  
17 criminal cases that are filed as described under (b) of this  
18 subsection. Future distributions shall be based on the most recent  
19 figures for the annual number of criminal cases that are filed as  
20 described under (b) of this subsection.

21 **Sec. 2.** RCW 10.101.080 and 2007 c 59 s 1 are each amended to read  
22 as follows:

23 The moneys under RCW 10.101.050 shall be distributed to each city  
24 determined to be eligible under this section by the office of public  
25 defense. (~~Ten~~) Forty-two percent of the funding appropriated shall  
26 be designated as "city moneys" and distributed as follows:

27 (1) The office of public defense shall administer a grant program  
28 to select the cities eligible to receive city moneys. Incorporated  
29 cities may apply for grants. Applying cities must conform to the  
30 requirements of RCW 10.101.050 and 10.101.060.

31 (2) City moneys shall be distributed in a timely manner to  
32 accomplish the goals of the grants.

33 (3) Criteria for award of grants shall be established by the office  
34 of public defense after soliciting input from the association of  
35 Washington cities. Award of the grants shall be determined by the

1 office of public defense.

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