

# SENATE BILL REPORT

## SSB 6315

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As Passed Senate, February 6, 1996

**Title:** An act relating to offender debts.

**Brief Description:** Revising procedures for recoupment of assessments against offenders.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Long, Kohl and Schow; by request of Department of Corrections).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/11/96, 1/22/96 [DPS].  
Passed Senate, 2/6/96, 49-0.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6315 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Long, Moyer, Schow, Strannigan, Thibaudeau and Zarelli.

**Staff:** Andrea McNamara (786-7483)

**Background:** Under legislation passed in 1995, the Department of Corrections is required to record a debt against an offender's institution account when the department provides certain services and supplies to an inmate who is indigent. The department is further authorized to recoup the assessments if/when the offender's institution account later exceeds the indigency standard.

A federal district court in eastern Washington recently ruled that the department does not have authority under current law to collect court costs from an offender's institution account when the court dismisses the offender's lawsuit against the department and assesses court costs against him or her.

**Summary of Bill:** The authority of the Department of Corrections to collect offender debts is expanded to include other remedies after offenders are released from incarceration and no longer have institution accounts.

The department is also required to record as a debt against an offender's institution account any costs assessed by a court against an inmate plaintiff where the state is providing a defense to the action.

The department is authorized to use the collection services available through general administration or private collection agencies to collect outstanding debts owed by offenders to the department after their release from incarceration. The conditions for contracting with private collection agencies are specified.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The authority granted in this bill will add to and clarify the remedies currently available to the department for collecting offender debts. The expanded authority is consistent with the intent of the 1995 legislation to make offenders more accountable financially for the costs of their incarceration.

**Testimony Against:** None.

**Testified:** Margaret Vonheeder, Director of the Division of Management and Budget, Department of Corrections (pro).

**House Amendment(s):** The amendment clarifies that the department is not limited to using collection services through general administration or private collection agencies, but is merely authorized to use those options in addition to any other available remedies for collecting offender debts.