
SUBSTITUTE SENATE BILL 6315

State of Washington

54th Legislature

1996 Regular Session

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

Read first time 01/24/96.

1 AN ACT Relating to offender debts; and amending RCW 72.09.450.

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

3 **Sec. 1.** RCW 72.09.450 and 1995 1st sp.s. c 19 s 4 are each amended
4 to read as follows:

5 (1) An inmate shall not be denied access to services or supplies
6 required by state or federal law solely on the basis of his or her
7 inability to pay for them.

8 (2) The department shall record all lawfully authorized assessments
9 for services or supplies as a debt to the department (~~and~~). The
10 department shall recoup the assessments when the inmate's institutional
11 account exceeds the indigency standard, and may pursue other remedies
12 to recoup the assessments after the period of incarceration.

13 (3) The department shall record as a debt any costs assessed by a
14 court against an inmate plaintiff where the state is providing defense
15 pursuant to chapter 4.92 RCW. The department shall recoup the debt
16 when the inmate's institutional account exceeds the indigency standard
17 and may pursue other remedies to recoup the debt after the period of
18 incarceration.

1 (4) In order to maximize the cost-efficient collection of unpaid
2 offender debt existing after the period of an offender's incarceration,
3 the department is authorized to (a) use the collection services
4 available through the department of general administration, or (b)
5 notwithstanding any provision of chapter 41.06 RCW, contract with
6 collection agencies for collection of the debts. The costs for general
7 administration or collection agency services shall be paid by the
8 debtor. Any contract with a collection agency shall only be awarded
9 after competitive bidding. Factors the department shall consider in
10 awarding a collection contract include but are not limited to a
11 collection agency's history and reputation in the community; and the
12 agency's access to a local data base that may increase the efficiency
13 of its collections. The servicing of an unpaid obligation to the
14 department does not constitute assignment of a debt, and no contract
15 with a collection agency may remove the department's control over
16 unpaid obligations owed to the department.

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