
SENATE BILL 6670

State of Washington 54th Legislature 1996 Regular Session

By Senators Strannigan, Rasmussen, Prince, Heavey, Schow and West

Read first time 01/23/96. Referred to Committee on Ways & Means.

1 AN ACT Relating to distribution of motor vehicle excise tax
2 revenues; amending RCW 82.44.120, 82.44.150, 82.14.200, 82.14.210,
3 82.14.310, and 82.14.330; reenacting and amending RCW 82.44.110,
4 82.44.110, 82.44.110, 82.44.110, and 82.14.320; adding a new section to
5 chapter 70.05 RCW; adding a new chapter to Title 82 RCW; repealing RCW
6 82.44.155 and 82.44.160; providing effective dates; and providing
7 expiration dates.

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

9 **Sec. 1.** RCW 82.44.110 and 1995 1st sp.s. c 15 s 2 and 1995 c 398
10 s 14 are each reenacted and amended to read as follows:

11 The county auditor shall regularly, when remitting license fee
12 receipts, pay over and account to the director of licensing for the
13 excise taxes collected under the provisions of this chapter. The
14 director shall forthwith transmit the excise taxes to the state
15 treasurer.

16 (1) The state treasurer shall deposit the excise taxes collected
17 under RCW 82.44.020(1) as follows:

1 (a) 1.60 percent into the motor vehicle fund to defray
2 administrative and other expenses incurred by the department in the
3 collection of the excise tax.

4 (b) 8.15 percent into the Puget Sound capital construction account
5 in the motor vehicle fund.

6 (c) 4.07 percent into the Puget Sound ferry operations account in
7 the motor vehicle fund.

8 (d) 5.88 percent into the general fund to be distributed under RCW
9 82.44.155.

10 (e) 4.75 percent into the municipal sales and use tax equalization
11 account in the general fund created in RCW 82.14.210.

12 (f) 1.60 percent into the county sales and use tax equalization
13 account in the general fund created in RCW 82.14.200.

14 (g) (~~62.6440 percent into the general fund through June 30, 1995,~~
15 ~~and 57.6440~~) 12.8220 percent into the general fund beginning July 1,
16 (~~1995~~) 1997.

17 (h) (~~5~~) 49.8220 percent into the transportation fund created in
18 RCW 82.44.180 beginning July 1, (~~1995~~) 1997.

19 (i) 5.9686 percent into the county criminal justice assistance
20 account created in RCW 82.14.310.

21 (j) 1.1937 percent into the municipal criminal justice assistance
22 account for distribution under RCW 82.14.320.

23 (k) 1.1937 percent into the municipal criminal justice assistance
24 account for distribution under RCW 82.14.330.

25 (l) 2.95 percent into the county public health account created in
26 RCW 70.05.125.

27 (~~Notwithstanding (i) through (k) of this subsection, no more than~~
28 ~~sixty million dollars shall be deposited into the accounts specified in~~
29 ~~(i) through (k) of this subsection for the period January 1, 1994,~~
30 ~~through June 30, 1995.))~~ Not more than five percent of the funds
31 deposited to (~~these accounts~~) the accounts specified in (i) through
32 (k) of this subsection shall be available for appropriations for
33 enhancements to the state patrol crime laboratory system and the
34 continuing costs related to these enhancements. Motor vehicle excise
35 tax funds appropriated for such enhancements shall not supplant
36 existing funds from the state general fund. For the fiscal year ending
37 June 30, 1998, and for each fiscal year thereafter, the amounts
38 deposited into the accounts specified in (i) through (k) of this
39 subsection shall not increase by more than the amounts deposited into

1 those accounts in the previous fiscal year increased by the implicit
2 price deflator for the previous fiscal year. Any revenues in excess of
3 this amount shall be deposited into the general fund.

4 (2) The state treasurer shall deposit the excise taxes collected
5 under RCW 82.44.020(2) into the transportation fund.

6 (3) The state treasurer shall deposit the excise tax imposed by RCW
7 82.44.020(3) into the air pollution control account created by RCW
8 70.94.015.

9 **Sec. 2.** RCW 82.44.110 and 1995 1st sp.s. c 15 s 2 and 1995 c 398
10 s 14 are each reenacted and amended to read as follows:

11 The county auditor shall regularly, when remitting license fee
12 receipts, pay over and account to the director of licensing for the
13 excise taxes collected under the provisions of this chapter. The
14 director shall forthwith transmit the excise taxes to the state
15 treasurer.

16 (1) The state treasurer shall deposit the excise taxes collected
17 under RCW 82.44.020(1) as follows:

18 (a) 1.60 percent into the motor vehicle fund to defray
19 administrative and other expenses incurred by the department in the
20 collection of the excise tax.

21 (b) 8.15 percent into the Puget Sound capital construction account
22 in the motor vehicle fund.

23 (c) 4.07 percent into the Puget Sound ferry operations account in
24 the motor vehicle fund.

25 (d) 5.88 percent into the general fund to be distributed under RCW
26 82.44.155.

27 (e) 4.75 percent into the municipal sales and use tax equalization
28 account in the general fund created in RCW 82.14.210.

29 (f) 1.60 percent into the county sales and use tax equalization
30 account in the general fund created in RCW 82.14.200.

31 (g) 62.6440 (~~percent into the general fund through June 30, 1995,~~
32 ~~and 57.6440 percent into the general fund beginning July 1, 1995.~~

33 ~~(h) 5))~~ percent into the transportation fund created in RCW
34 82.44.180 beginning July 1, (~~(1995))~~ 1999.

35 ~~((i))~~ (h) 5.9686 percent into the county criminal justice
36 assistance account created in RCW 82.14.310.

37 ~~((j))~~ (i) 1.1937 percent into the municipal criminal justice
38 assistance account for distribution under RCW 82.14.320.

1 ~~((k))~~ (j) 1.1937 percent into the municipal criminal justice
2 assistance account for distribution under RCW 82.14.330.

3 ~~((l))~~ (k) 2.95 percent into the county public health account
4 created in RCW 70.05.125.

5 ~~((Notwithstanding (i) through (k) of this subsection, no more than
6 sixty million dollars shall be deposited into the accounts specified in
7 (i) through (k) of this subsection for the period January 1, 1994,
8 through June 30, 1995.))~~ Not more than five percent of the funds
9 deposited to ~~((these))~~ the accounts specified in (h) through (j) of
10 this subsection shall be available for appropriations for enhancements
11 to the state patrol crime laboratory system and the continuing costs
12 related to these enhancements. Motor vehicle excise tax funds
13 appropriated for such enhancements shall not supplant existing funds
14 from the state general fund. For the fiscal year ending June 30, 1998,
15 and for each fiscal year thereafter, the amounts deposited into the
16 accounts specified in ~~((i))~~ (h) through ~~((k))~~ (j) of this
17 subsection shall not increase by more than the amounts deposited into
18 those accounts in the previous fiscal year increased by the implicit
19 price deflator for the previous fiscal year. Any revenues in excess of
20 this amount shall be deposited into the ~~((general))~~ transportation
21 fund.

22 (2) The state treasurer shall deposit the excise taxes collected
23 under RCW 82.44.020(2) into the transportation fund.

24 (3) The state treasurer shall deposit the excise tax imposed by RCW
25 82.44.020(3) into the air pollution control account created by RCW
26 70.94.015.

27 **Sec. 3.** RCW 82.44.110 and 1995 1st sp.s. c 15 s 2 and 1995 c 398
28 s 14 are each reenacted and amended to read as follows:

29 The county auditor shall regularly, when remitting license fee
30 receipts, pay over and account to the director of licensing for the
31 excise taxes collected under the provisions of this chapter. The
32 director shall forthwith transmit the excise taxes to the state
33 treasurer.

34 (1) The state treasurer shall deposit the excise taxes collected
35 under RCW 82.44.020(1) as follows:

36 (a) 1.60 percent into the motor vehicle fund to defray
37 administrative and other expenses incurred by the department in the
38 collection of the excise tax.

1 (b) 8.15 percent into the Puget Sound capital construction account
2 in the motor vehicle fund.

3 (c) 4.07 percent into the Puget Sound ferry operations account in
4 the motor vehicle fund.

5 ~~(d) (5.88 percent into the general fund to be distributed under~~
6 ~~RCW 82.44.155.~~

7 ~~(e) 4.75 percent into the municipal sales and use tax equalization~~
8 ~~account in the general fund created in RCW 82.14.210.~~

9 ~~(f) 1.60 percent into the county sales and use tax equalization~~
10 ~~account in the general fund created in RCW 82.14.200.~~

11 ~~(g) 62.6440 percent into the general fund through June 30, 1995,~~
12 ~~and 57.6440 percent into the general fund beginning July 1, 1995.~~

13 ~~(h) 5)) 78.8740 percent into the transportation fund created in RCW~~
14 ~~82.44.180 ((beginning July 1, 1995)).~~

15 ~~((i)) (e) 5.9686 percent into the county criminal justice~~
16 ~~assistance account created in RCW 82.14.310.~~

17 ~~((j)) (f) 1.1937 percent into the municipal criminal justice~~
18 ~~assistance account for distribution under RCW 82.14.320.~~

19 ~~((k)) (g) 1.1937 percent into the municipal criminal justice~~
20 ~~assistance account for distribution under RCW 82.14.330.~~

21 ~~((l)) (h) 2.95 percent into the county public health account~~
22 ~~created in RCW 70.05.125.~~

23 ~~((Notwithstanding (i) through (k) of this subsection, no more than~~
24 ~~sixty million dollars shall be deposited into the accounts specified in~~
25 ~~(i) through (k) of this subsection for the period January 1, 1994,~~
26 ~~through June 30, 1995.)) Not more than five percent of the funds~~
27 ~~deposited to ((these)) the accounts specified in (e) through (g) of~~
28 ~~this subsection shall be available for appropriations for enhancements~~
29 ~~to the state patrol crime laboratory system and the continuing costs~~
30 ~~related to these enhancements. Motor vehicle excise tax funds~~
31 ~~appropriated for such enhancements shall not supplant existing funds~~
32 ~~from the state general fund. For the fiscal year ending June 30, 1998,~~
33 ~~and for each fiscal year thereafter, the amounts deposited into the~~
34 ~~accounts specified in ((i)) (e) through ((k)) (g) of this~~
35 ~~subsection shall not increase by more than the amounts deposited into~~
36 ~~those accounts in the previous fiscal year increased by the implicit~~
37 ~~price deflator for the previous fiscal year. Any revenues in excess of~~
38 ~~this amount shall be deposited into the ((general)) transportation~~
39 ~~fund.~~

1 (2) The state treasurer shall deposit the excise taxes collected
2 under RCW 82.44.020(2) into the transportation fund.

3 (3) The state treasurer shall deposit the excise tax imposed by RCW
4 82.44.020(3) into the air pollution control account created by RCW
5 70.94.015.

6 **Sec. 4.** RCW 82.44.110 and 1995 1st sp.s. c 15 s 2 and 1995 c 398
7 s 14 are each reenacted and amended to read as follows:

8 The county auditor shall regularly, when remitting license fee
9 receipts, pay over and account to the director of licensing for the
10 excise taxes collected under the provisions of this chapter. The
11 director shall forthwith transmit the excise taxes to the state
12 treasurer.

13 (1) The state treasurer shall deposit the excise taxes collected
14 under RCW 82.44.020(1) as follows:

15 (a) 1.60 percent into the motor vehicle fund to defray
16 administrative and other expenses incurred by the department in the
17 collection of the excise tax.

18 (b) 8.15 percent into the Puget Sound capital construction account
19 in the motor vehicle fund.

20 (c) 4.07 percent into the Puget Sound ferry operations account in
21 the motor vehicle fund.

22 ~~(d) ((5.88 percent into the general fund to be distributed under
23 RCW 82.44.155.~~

24 ~~(e) 4.75 percent into the municipal sales and use tax equalization
25 account in the general fund created in RCW 82.14.210.~~

26 ~~(f) 1.60 percent into the county sales and use tax equalization
27 account in the general fund created in RCW 82.14.200.~~

28 ~~(g) 62.6440 percent into the general fund through June 30, 1995,
29 and 57.6440 percent into the general fund beginning July 1, 1995.~~

30 ~~(h) 5)) 86.18 percent into the transportation fund created in RCW
31 82.44.180 ((beginning July 1, 1995.~~

32 ~~(i) 5.9686 percent into the county criminal justice assistance
33 account created in RCW 82.14.310.~~

34 ~~(j) 1.1937 percent into the municipal criminal justice assistance
35 account for distribution under RCW 82.14.320.~~

36 ~~(k) 1.1937 percent into the municipal criminal justice assistance
37 account for distribution under RCW 82.14.330.~~

1 ~~(1) 2.95 percent into the county public health account created in~~
2 ~~RCW 70.05.125.~~

3 ~~Notwithstanding (i) through (k) of this subsection, no more than~~
4 ~~sixty million dollars shall be deposited into the accounts specified in~~
5 ~~(i) through (k) of this subsection for the period January 1, 1994,~~
6 ~~through June 30, 1995. Not more than five percent of the funds~~
7 ~~deposited to these accounts shall be available for appropriations for~~
8 ~~enhancements to the state patrol crime laboratory system and the~~
9 ~~continuing costs related to these enhancements. Motor vehicle excise~~
10 ~~tax funds appropriated for such enhancements shall not supplant~~
11 ~~existing funds from the state general fund)). For the fiscal year~~
12 ~~ending June 30, 1998, and for each fiscal year thereafter, the amounts~~
13 ~~deposited into the accounts specified in ((i) through (k) of this~~
14 ~~subsection)) RCW 82.14.310, 82.14.320, and 82.14.330 shall not increase~~
15 ~~by more than the amounts deposited into those accounts in the previous~~
16 ~~fiscal year increased by the implicit price deflator for the previous~~
17 ~~fiscal year. Any revenues in excess of this amount shall be deposited~~
18 ~~into the ((general)) transportation fund.~~

19 (2) The state treasurer shall deposit the excise taxes collected
20 under RCW 82.44.020(2) into the transportation fund.

21 (3) The state treasurer shall deposit the excise tax imposed by RCW
22 82.44.020(3) into the air pollution control account created by RCW
23 70.94.015.

24 **Sec. 5.** RCW 82.44.120 and 1993 c 307 s 3 are each amended to read
25 as follows:

26 Whenever any person has paid a motor vehicle license fee, and
27 together therewith has paid an excise tax imposed under the provisions
28 of this chapter, and the director determines that the payor is entitled
29 to a refund of the entire amount of the license fee as provided by law,
30 then the payor shall also be entitled to a refund of the entire excise
31 tax collected under the provisions of this chapter. In case the
32 director determines that any person is entitled to a refund of only a
33 part of the license fee so paid, the payor shall be entitled to a
34 refund of the difference, if any, between the excise tax collected and
35 that which should have been collected.

36 In case no claim is to be made for the refund of the license fee or
37 any part thereof, but claim is made by any person that he or she has
38 paid an erroneously excessive amount of excise tax, the department

1 shall determine in the manner generally provided in this chapter the
2 amount of such excess, if any, that has been paid and shall certify to
3 the state treasurer that such person is entitled to a refund in such
4 amount.

5 In any case where due to error, a person has been required to pay
6 an excise tax pursuant to this chapter and a vehicle license fee
7 pursuant to Title 46 RCW which amounts to an overpayment of ten dollars
8 or more, such person shall be entitled to a refund of the entire amount
9 of such overpayment, regardless of whether or not a refund of the
10 overpayment has been requested. Conversely, if due to error, the
11 department or its agents has failed to collect the full amount of the
12 license fee and excise tax due, which underpayment is in the amount of
13 ten dollars or more, the department shall charge and collect such
14 additional amount as will constitute full payment of the tax.

15 Any claim for refund of an erroneously excessive amount of excise
16 tax or overpayment of excise tax with a motor vehicle license fee must
17 be filed with the director within three years after the claimed
18 erroneous payment was made.

19 If the department approves the claim it shall notify the state
20 treasurer to that effect, and the treasurer shall make such approved
21 refunds from the (~~general~~) transportation fund and shall mail or
22 deliver the same to the person entitled thereto.

23 Any person making any false statement under which he or she obtains
24 any amount of refund to which he or she is not entitled under the
25 provisions of this section is guilty of a gross misdemeanor.

26 **Sec. 6.** RCW 82.44.150 and 1995 2nd sp.s. c 14 s 538 are each
27 amended to read as follows:

28 (1) The director of licensing shall, on the twenty-fifth day of
29 February, May, August, and November of each year, advise the state
30 treasurer of the total amount of motor vehicle excise taxes imposed by
31 RCW 82.44.020 (1) and (2) remitted to the department during the
32 preceding calendar quarter ending on the last day of March, June,
33 September, and December, respectively, except for those payable under
34 RCW 82.44.030, from motor vehicle owners residing within each
35 municipality which has levied a tax under RCW 35.58.273, which amount
36 of excise taxes shall be determined by the director as follows:

37 The total amount of motor vehicle excise taxes remitted to the
38 department, except those payable under RCW 82.44.020(3) and 82.44.030,

1 from each county shall be multiplied by a fraction, the numerator of
2 which is the population of the municipality residing in such county,
3 and the denominator of which is the total population of the county in
4 which such municipality or portion thereof is located. The product of
5 this computation shall be the amount of excise taxes from motor vehicle
6 owners residing within such municipality or portion thereof. Where the
7 municipality levying a tax under RCW 35.58.273 is located in more than
8 one county, the above computation shall be made by county, and the
9 combined products shall provide the total amount of motor vehicle
10 excise taxes from motor vehicle owners residing in the municipality as
11 a whole. Population figures required for these computations shall be
12 supplied to the director by the office of financial management, who
13 shall adjust the fraction annually.

14 (2) On the first day of the months of January, April, July, and
15 October of each year, the state treasurer based upon information
16 provided by the department shall, from motor vehicle excise taxes
17 deposited in the (~~general~~) transportation fund, under RCW
18 82.44.110(1)(~~g~~), make the following deposits:

19 (a) To the high capacity transportation account created in RCW
20 47.78.010, a sum equal to four and five-tenths percent of the special
21 excise tax levied under RCW 35.58.273 by those municipalities
22 authorized to levy a special excise tax within each county that has a
23 population of one hundred seventy-five thousand or more and has an
24 interstate highway within its borders; except that in a case of a
25 municipality located in a county that has a population of one hundred
26 seventy-five thousand or more that does not have an interstate highway
27 located within its borders, that sum shall be deposited in the
28 passenger ferry account;

29 (b) To the central Puget Sound public transportation account
30 created in RCW 82.44.180, for revenues distributed after December 31,
31 1992, within a county with a population of one million or more and a
32 county with a population of from two hundred thousand to less than one
33 million bordering a county with a population of one million or more, a
34 sum equal to the difference between: (i) The special excise tax levied
35 and collected under RCW 35.58.273 by those municipalities authorized to
36 levy and collect a special excise tax subject to the requirements of
37 subsections (3) and (4) of this section; and (ii) the special excise
38 tax that the municipality would otherwise have been eligible to levy
39 and collect at a tax rate of .815 percent and been able to match with

1 locally generated tax revenues, other than the excise tax imposed under
2 RCW 35.58.273, budgeted for any public transportation purpose. Before
3 this deposit, the sum shall be reduced by an amount equal to the amount
4 distributed under (a) of this subsection for each of the municipalities
5 within the counties to which this subsection (2)(b) applies; however,
6 any transfer under this subsection (2)(b) must be greater than zero;

7 (c) To the public transportation systems account created in RCW
8 82.44.180, for revenues distributed after December 31, 1992, within
9 counties not described in (b) of this subsection, a sum equal to the
10 difference between: (i) The special excise tax levied and collected
11 under RCW 35.58.273 by those municipalities authorized to levy and
12 collect a special excise tax subject to the requirements of subsections
13 (3) and (4) of this section; and (ii) the special excise tax that the
14 municipality would otherwise have been eligible to levy and collect at
15 a tax rate of .815 percent and been able to match with locally
16 generated tax revenues, other than the excise tax imposed under RCW
17 35.58.273, budgeted for any public transportation purpose. Before this
18 deposit, the sum shall be reduced by an amount equal to the amount
19 distributed under (a) of this subsection for each of the municipalities
20 within the counties to which this subsection (2)(c) applies; however,
21 any transfer under this subsection (2)(c) must be greater than zero;
22 and

23 (d) To the ~~((general fund, for revenues distributed after June 30,~~
24 ~~1993, and to the))~~ transportation fund, for revenues distributed after
25 June 30, ~~((1995))~~ 1997, a sum equal to the difference between: (i) The
26 special excise tax levied and collected under RCW 35.58.273 by those
27 municipalities authorized to levy and collect a special excise tax
28 subject to the requirements of subsections (3) and (4) of this section
29 and; (ii) the special excise tax that the municipality would otherwise
30 have been eligible to levy and collect at a tax rate of .815 percent
31 notwithstanding the requirements set forth in subsections (3) through
32 (6) of this section, reduced by an amount equal to distributions made
33 under (a), (b), and (c) of this subsection and RCW 82.14.046.

34 (3) On the first day of the months of January, April, July, and
35 October of each year, the state treasurer, based upon information
36 provided by the department, shall remit motor vehicle excise tax
37 revenues imposed and collected under RCW 35.58.273 as follows:

38 (a) The amount required to be remitted by the state treasurer to
39 the treasurer of any municipality levying the tax shall not exceed in

1 any calendar year the amount of locally-generated tax revenues,
2 excluding: (i) The excise tax imposed under RCW 35.58.273 for the
3 purposes of this section, which shall have been budgeted by the
4 municipality to be collected in such calendar year for any public
5 transportation purposes including but not limited to operating costs,
6 capital costs, and debt service on general obligation or revenue bonds
7 issued for these purposes; and (ii) the sales and use tax equalization
8 distributions provided under RCW 82.14.046; and

9 (b) In no event may the amount remitted in a single calendar
10 quarter exceed the amount collected on behalf of the municipality under
11 RCW 35.58.273 during the calendar quarter next preceding the
12 immediately preceding quarter, excluding the sales and use tax
13 equalization distributions provided under RCW 82.14.046.

14 (4) At the close of each calendar year accounting period, but not
15 later than April 1st, each municipality that has received motor vehicle
16 excise taxes under subsection (3) of this section shall transmit to the
17 director of licensing and the state auditor a written report showing by
18 source the previous year's budgeted tax revenues for public
19 transportation purposes as compared to actual collections. Any
20 municipality that has not submitted the report by April 1st shall cease
21 to be eligible to receive motor vehicle excise taxes under subsection
22 (3) of this section until the report is received by the director of
23 licensing. If a municipality has received more or less money under
24 subsection (3) of this section for the period covered by the report
25 than it is entitled to receive by reason of its locally-generated
26 collected tax revenues, the director of licensing shall, during the
27 next ensuing quarter that the municipality is eligible to receive motor
28 vehicle excise tax funds, increase or decrease the amount to be
29 remitted in an amount equal to the difference between the locally-
30 generated budgeted tax revenues and the locally-generated collected tax
31 revenues. In no event may the amount remitted for a calendar year
32 exceed the amount collected on behalf of the municipality under RCW
33 35.58.273 during that same calendar year excluding the sales and use
34 tax equalization distributions provided under RCW 82.14.046. At the
35 time of the next fiscal audit of each municipality, the state auditor
36 shall verify the accuracy of the report submitted and notify the
37 director of licensing of any discrepancies.

1 (5) The motor vehicle excise taxes imposed under RCW 35.58.273 and
2 required to be remitted under this section and RCW 82.14.046 shall be
3 remitted without legislative appropriation.

4 (6) Any municipality levying and collecting a tax under RCW
5 35.58.273 which does not have an operating, public transit system or a
6 contract for public transportation services in effect within one year
7 from the initial effective date of the tax shall return to the state
8 treasurer all motor vehicle excise taxes received under subsection (3)
9 of this section.

10 NEW SECTION. **Sec. 7.** The state treasurer shall deposit moneys
11 from the general fund as follows:

12 (1) An amount equal to 4.75 percent of the excise tax imposed under
13 RCW 82.44.020(1) into the municipal sales and use tax account;

14 (2) An amount equal to 1.60 percent of the excise tax imposed under
15 RCW 82.44.020(1) into the county sales and use tax equalization
16 account.

17 NEW SECTION. **Sec. 8.** (1) An amount equal to 5.88 percent of the
18 excise tax imposed under RCW 82.44.020(1) shall be distributed from the
19 general fund under subsection (2) of this section.

20 (2) The state treasurer shall apportion and distribute the taxes
21 deposited into the general fund under subsection (1) of this section to
22 the cities and towns ratably on the basis of population as last
23 determined by the office of financial management. The amount payable
24 to each such city and town shall be transmitted to the city treasurer
25 thereof, and shall be used by the city or town for the purposes of
26 police and fire protection in the city or town, and not otherwise.

27 NEW SECTION. **Sec. 9.** Before distributing moneys to the cities and
28 towns from the general fund, as provided in section 8 of this act, and
29 from the municipal sales and use tax equalization account, as provided
30 in RCW 82.14.210, the state treasurer shall, on the first day of July
31 of each year, make an annual deduction therefrom of a sum equal to one-
32 half of the biennial appropriation made under this section, which
33 amount shall be at least seven cents per capita of the population of
34 all cities or towns as legally certified on that date, determined as
35 provided in RCW 82.44.150, which sum shall be apportioned and
36 transmitted to the municipal research council, created in this section.

1 Sixty-five percent of the annual deduction shall be from the
2 distribution to cities and towns under section 8 of this act, and
3 thirty-five percent of the annual deduction shall be from the
4 distribution to the municipal sales and use tax equalization account
5 under RCW 82.14.210. The municipal research council may contract with
6 and allocate moneys to any state agency, educational institution, or
7 private consulting firm, that in its judgment is qualified to carry on
8 a municipal research and service program. Moneys may be used to match
9 federal funds available for technical research and service programs to
10 cities and towns. Moneys allocated must be used for studies and
11 research in municipal government, publications, educational conferences
12 and attendance at those conferences, and in furnishing technical,
13 consultative, and field services to cities and towns in problems
14 relating to planning, public health, municipal sanitation, fire
15 protection, law enforcement, and public works, and in all matters
16 relating to city and town government. The programs must be carried on
17 and all expenditures must be made in cooperation with the cities and
18 towns of the state acting through the Association of Washington Cities
19 by its board of directors, which board is recognized as their official
20 agency or instrumentality.

21 Funds appropriated to the municipal research council must be kept
22 in the treasury in the general fund, and must be disbursed by warrant
23 or check to contracting parties on invoices or vouchers certified by
24 the chair of the municipal research council or his or her designee.
25 Payments to public agencies may be made in advance of actual work
26 contracted for, in the discretion of the council.

27 Sixty-five percent of any moneys remaining unexpended or
28 uncontracted for by the municipal research council at the end of any
29 fiscal biennium shall be returned to the general fund and be paid to
30 cities and towns under section 8 of this act. The remaining thirty-
31 five percent shall be deposited into the municipal sales and use tax
32 equalization account.

33 **Sec. 10.** RCW 82.14.200 and 1991 sp.s. c 13 s 15 are each amended
34 to read as follows:

35 There is created in the state treasury a special account to be
36 known as the "county sales and use tax equalization account." Into
37 this account shall be placed a portion of all ((~~motor vehicle excise~~
38 ~~tax~~)) receipts as provided in ((~~RCW 82.44.110(1)(f)~~)) section 7(2) of

1 this act. Funds in this account shall be allocated by the state
2 treasurer according to the following procedure:

3 (1) Prior to April 1st of each year the director of revenue shall
4 inform the state treasurer of the total and the per capita levels of
5 revenues for the unincorporated area of each county and the state-wide
6 weighted average per capita level of revenues for the unincorporated
7 areas of all counties imposing the sales and use tax authorized under
8 RCW 82.14.030(1) for the previous calendar year.

9 (2) At such times as distributions are made under RCW 82.44.150,
10 (~~as now or hereafter amended,~~) the state treasurer shall apportion to
11 each county imposing the sales and use tax under RCW 82.14.030(1) at
12 the maximum rate and receiving less than one hundred fifty thousand
13 dollars from the tax for the previous calendar year, an amount from the
14 county sales and use tax equalization account sufficient, when added to
15 the amount of revenues received the previous calendar year by the
16 county, to equal one hundred fifty thousand dollars.

17 The department of revenue shall establish a governmental price
18 index as provided in this subsection. The base year for the index
19 shall be the end of the third quarter of 1982. Prior to November 1,
20 1983, and prior to each November 1st thereafter, the department of
21 revenue shall establish another index figure for the third quarter of
22 that year. The department of revenue may use the implicit price
23 deflators for state and local government purchases of goods and
24 services calculated by the United States department of commerce to
25 establish the governmental price index. Beginning on January 1, 1984,
26 and each January 1st thereafter, the one hundred fifty thousand dollar
27 base figure in this subsection shall be adjusted in direct proportion
28 to the percentage change in the governmental price index from 1982
29 until the year before the adjustment. Distributions made under this
30 subsection for 1984 and thereafter shall use this adjusted base amount
31 figure.

32 (3) Subsequent to the distributions under subsection (2) of this
33 section and at such times as distributions are made under RCW
34 82.44.150, (~~as now or hereafter amended,~~) the state treasurer shall
35 apportion to each county imposing the sales and use tax under RCW
36 82.14.030(1) at the maximum rate and receiving less than seventy
37 percent of the state-wide weighted average per capita level of revenues
38 for the unincorporated areas of all counties as determined by the
39 department of revenue under subsection (1) of this section, an amount

1 from the county sales and use tax equalization account sufficient, when
2 added to the per capita level of revenues for the unincorporated area
3 received the previous calendar year by the county, to equal seventy
4 percent of the state-wide weighted average per capita level of revenues
5 for the unincorporated areas of all counties determined under
6 subsection (1) of this section, subject to reduction under subsections
7 (6) and (7) of this section. When computing distributions under this
8 section, any distribution under subsection (2) of this section shall be
9 considered revenues received from the tax imposed under RCW
10 82.14.030(1) for the previous calendar year.

11 (4) Subsequent to the distributions under subsection (3) of this
12 section and at such times as distributions are made under RCW
13 82.44.150, (~~as now or hereafter amended,~~) the state treasurer shall
14 apportion to each county imposing the sales and use tax under RCW
15 82.14.030(2) at the maximum rate and receiving a distribution under
16 subsection (2) of this section, a third distribution from the county
17 sales and use tax equalization account. The distribution to each
18 qualifying county shall be equal to the distribution to the county
19 under subsection (2) of this section, subject to the reduction under
20 subsections (6) and (7) of this section. To qualify for the total
21 distribution under this subsection, the county must impose the tax
22 under RCW 82.14.030(2) for the entire calendar year. Counties imposing
23 the tax for less than the full year shall qualify for prorated
24 allocations under this subsection proportionate to the number of months
25 of the year during which the tax is imposed.

26 (5) Subsequent to the distributions under subsection (4) of this
27 section and at such times as distributions are made under RCW
28 82.44.150, (~~as now or hereafter amended,~~) the state treasurer shall
29 apportion to each county imposing the sales and use tax under RCW
30 82.14.030(2) at the maximum rate and receiving a distribution under
31 subsection (3) of this section, a fourth distribution from the county
32 sales and use tax equalization account. The distribution to each
33 qualifying county shall be equal to the distribution to the county
34 under subsection (3) of this section, subject to the reduction under
35 subsections (6) and (7) of this section. To qualify for the
36 distributions under this subsection, the county must impose the tax
37 under RCW 82.14.030(2) for the entire calendar year. Counties imposing
38 the tax for less than the full year shall qualify for prorated

1 allocations under this subsection proportionate to the number of months
2 of the year during which the tax is imposed.

3 (6) Revenues distributed under this section in any calendar year
4 shall not exceed an amount equal to seventy percent of the state-wide
5 weighted average per capita level of revenues for the unincorporated
6 areas of all counties during the previous calendar year. If
7 distributions under subsections (3) through (5) of this section cannot
8 be made because of this limitation, then distributions under
9 subsections (3) through (5) of this section shall be reduced ratably
10 among the qualifying counties.

11 (7) If inadequate revenues exist in the county sales and use tax
12 equalization account to make the distributions under subsections (3)
13 through (5) of this section, then the distributions under subsections
14 (3) through (5) of this section shall be reduced ratably among the
15 qualifying counties. At such time during the year as additional funds
16 accrue to the county sales and use tax equalization account, additional
17 distributions shall be made under subsections (3) through (5) of this
18 section to the counties.

19 (8) If the level of revenues in the county sales and use tax
20 equalization account exceeds the amount necessary to make the
21 distributions under subsections (2) through (5) of this section, then
22 the additional revenues shall be credited and transferred to the state
23 general fund.

24 **Sec. 11.** RCW 82.14.210 and 1991 sp.s. c 13 s 16 are each amended
25 to read as follows:

26 There is created in the state treasury a special account to be
27 known as the "municipal sales and use tax equalization account." Into
28 this account shall be placed such revenues as are provided under ((RCW
29 ~~82.44.110(1)(e)~~) section 7(1) of this act. Funds in this account
30 shall be allocated by the state treasurer according to the following
31 procedure:

32 (1) Prior to January 1st of each year the department of revenue
33 shall determine the total and the per capita levels of revenues for
34 each city and the state-wide weighted average per capita level of
35 revenues for all cities imposing the sales and use tax authorized under
36 RCW 82.14.030(1) for the previous calendar year.

37 (2) At such times as distributions are made under RCW 82.44.150,
38 the state treasurer shall apportion to each city not imposing the sales

1 and use tax under RCW 82.14.030(2) an amount from the municipal sales
2 and use tax equalization account equal to the amount distributed to the
3 city under ((RCW 82.44.155)) section 8 of this act, multiplied by
4 thirty-five sixty-fifths.

5 (3) Subsequent to the distributions under subsection (2) of this
6 section, and at such times as distributions are made under RCW
7 82.44.150, the state treasurer shall apportion to each city imposing
8 the sales and use tax under RCW 82.14.030(1) at the maximum rate and
9 receiving less than seventy percent of the state-wide weighted average
10 per capita level of revenues for all cities as determined by the
11 department of revenue under subsection (1) of this section, an amount
12 from the municipal sales and use tax equalization account sufficient,
13 when added to the per capita level of revenues received the previous
14 calendar year by the city, to equal seventy percent of the state-wide
15 weighted average per capita level of revenues for all cities determined
16 under subsection (1) of this section, subject to reduction under
17 subsection (6) of this section.

18 (4) Subsequent to the distributions under subsection (3) of this
19 section, and at such times as distributions are made under RCW
20 82.44.150, the state treasurer shall apportion to each city imposing
21 the sales and use tax under RCW 82.14.030(2) at the maximum rate and
22 receiving a distribution under subsection (3) of this section, a third
23 distribution from the municipal sales and use tax equalization account.
24 The distribution to each qualifying city shall be equal to the
25 distribution to the city under subsection (3) of this section, subject
26 to the reduction under subsection (6) of this section. To qualify for
27 the distributions under this subsection, the city must impose the tax
28 under RCW 82.14.030(2) for the entire calendar year. Cities imposing
29 the tax for less than the full year shall qualify for prorated
30 allocations under this subsection proportionate to the number of months
31 of the year during which the tax is imposed.

32 (5) For a city with an official incorporation date after January 1,
33 1990, municipal sales and use tax equalization distributions shall be
34 made according to the procedures in this subsection. Municipal sales
35 and use tax equalization distributions to eligible new cities shall be
36 made at the same time as distributions are made under subsections (3)
37 and (4) of this section. The department of revenue shall follow the
38 estimating procedures outlined in this subsection until the new city

1 has received a full year's worth of revenues under RCW 82.14.030(1) as
2 of the January municipal sales and use tax equalization distribution.

3 (a) Whether a newly incorporated city determined to receive funds
4 under this subsection receives its first equalization payment at the
5 January, April, July, or October municipal sales and use tax
6 equalization distribution shall depend on the date the city first
7 imposes the tax authorized under RCW 82.14.030(1).

8 (i) A newly incorporated city imposing the tax authorized under RCW
9 82.14.030(1) effective as of January 1st shall be eligible to receive
10 funds under this subsection beginning with the April municipal sales
11 and use tax equalization distribution of that year.

12 (ii) A newly incorporated city imposing the tax authorized under
13 RCW 82.14.030(1) effective as of February 1st, March 1st, or April 1st
14 shall be eligible to receive funds under this subsection beginning with
15 the July municipal sales and use tax equalization distribution of that
16 year.

17 (iii) A newly incorporated city imposing the tax authorized under
18 RCW 82.14.030(1) effective as of May 1st, June 1st, or July 1st shall
19 be eligible to receive funds under this subsection beginning with the
20 October municipal sales and use tax equalization distribution of that
21 year.

22 (iv) A newly incorporated city imposing the tax authorized under
23 RCW 82.14.030(1) effective as of August 1st, September 1st, or October
24 1st shall be eligible to receive funds under this subsection beginning
25 with the January municipal sales and use tax equalization distribution
26 of the next year.

27 (v) A newly incorporated city imposing the tax authorized under RCW
28 82.14.030(1) effective as of November 1st or December 1st shall be
29 eligible to receive funds under this subsection beginning with the
30 April municipal sales and use tax equalization distribution of the next
31 year.

32 (b) For purposes of calculating the amount of funds the new city
33 should receive under this subsection, the department of revenue shall:

34 (i) Estimate the per capita amount of revenues from the tax
35 authorized under RCW 82.14.030(1) that the new city would have received
36 had the city received revenues from the tax the entire calendar year;

37 (ii) Calculate the amount provided under subsection (3) of this
38 section based on the per capita revenues determined under (b)(i) of
39 this subsection;

1 (iii) Prorate the amount determined under (b)(ii) of this
2 subsection by the number of months the tax authorized under RCW
3 82.14.030(1) is imposed.

4 (c) A new city imposing the tax under RCW 82.14.030(2) at the
5 maximum rate and receiving a distribution calculated under (b) of this
6 subsection shall receive another distribution from the municipal sales
7 and use tax equalization account. This distribution shall be equal to
8 the calculation made under (b)(ii) of this subsection, prorated by the
9 number of months the city imposes the tax authorized under RCW
10 82.14.030(2) at the full rate.

11 (d) The department of revenue shall advise the state treasurer of
12 the amounts calculated under (b) and (c) of this subsection and the
13 state treasurer shall distribute these amounts to the new city from the
14 municipal sales and use tax equalization account subject to the
15 limitations imposed in subsection (6) of this section.

16 (e) Revenues estimated under this subsection shall not affect the
17 calculation of the state-wide weighted average per capita level of
18 revenues for all cities made under subsection (1) of this section.

19 (6) If inadequate revenues exist in the municipal sales and use tax
20 equalization account to make the distributions under subsection (3),
21 (4), or (5) of this section, then the distributions under subsections
22 (3), (4), and (5) of this section shall be reduced ratably among the
23 qualifying cities. At such time during the year as additional funds
24 accrue to the municipal sales and use tax equalization account,
25 additional distributions shall be made under subsections (3), (4), and
26 (5) of this section to the cities.

27 (7) If the level of revenues in the municipal sales and use tax
28 equalization account exceeds the amount necessary to make the
29 distributions under subsections (2) through (5) of this section, then
30 the additional revenues shall be apportioned among the several cities
31 within the state ratably on the basis of population as last determined
32 by the office of financial management: PROVIDED, That no such
33 distribution shall be made to those cities receiving a distribution
34 under subsection (2) of this section.

35 NEW SECTION. **Sec. 12.** The state treasurer shall deposit moneys
36 from the general fund as follows:

37 (1) An amount equal to 5.9686 percent of the excise tax imposed
38 under RCW 82.44.020(1) into the municipal sales and use tax account;

1 (2) An amount equal to 1.1937 percent of the excise tax imposed
2 under RCW 82.44.020(1) into the municipal criminal justice assistance
3 account for distribution under RCW 82.14.320;

4 (3) An amount equal to 1.1937 percent of the excise tax imposed
5 under RCW 82.44.020(1) into the municipal criminal justice assistance
6 account for distribution under RCW 82.14.330.

7 NEW SECTION. **Sec. 13.** A new section is added to chapter 70.05 RCW
8 to read as follows:

9 An amount equal to 2.95 percent of the excise tax imposed under RCW
10 82.44.020(1) shall be deposited from the general fund into the county
11 public health account created in RCW 70.05.125.

12 **Sec. 14.** RCW 82.14.310 and 1995 c 398 s 11 are each amended to
13 read as follows:

14 (1) The county criminal justice assistance account is created in
15 the state treasury.

16 (2) The moneys deposited in the county criminal justice assistance
17 account for distribution under this section(~~(, less any moneys~~
18 ~~appropriated for purposes under RCW 82.44.110,)~~) shall be distributed
19 at such times as distributions are made under RCW 82.44.150 and on the
20 relative basis of each county's funding factor as determined under this
21 subsection.

22 (a) A county's funding factor is the sum of:

23 (i) The population of the county, divided by one thousand, and
24 multiplied by two-tenths;

25 (ii) The crime rate of the county, multiplied by three-tenths; and

26 (iii) The annual number of criminal cases filed in the county
27 superior court, for each one thousand in population, multiplied by
28 five-tenths.

29 (b) Under this section and RCW 82.14.320 and 82.14.330:

30 (i) The population of the county or city shall be as last
31 determined by the office of financial management;

32 (ii) The crime rate of the county or city is the annual occurrence
33 of specified criminal offenses, as calculated in the most recent annual
34 report on crime in Washington state as published by the Washington
35 association of sheriffs and police chiefs, for each one thousand in
36 population;

1 (iii) The annual number of criminal cases filed in the county
2 superior court shall be determined by the most recent annual report of
3 the courts of Washington, as published by the office of the
4 administrator for the courts;

5 (iv) Distributions and eligibility for distributions in the 1989-91
6 biennium shall be based on 1988 figures for both the crime rate as
7 described under (ii) of this subsection and the annual number of
8 criminal cases that are filed as described under (iii) of this
9 subsection. Future distributions shall be based on the most recent
10 figures for both the crime rate as described under (ii) of this
11 subsection and the annual number of criminal cases that are filed as
12 described under (iii) of this subsection.

13 (3) Moneys distributed under this section shall be expended
14 exclusively for criminal justice purposes and shall not be used to
15 replace or supplant existing funding. Criminal justice purposes are
16 defined as activities that substantially assist the criminal justice
17 system, which may include circumstances where ancillary benefit to the
18 civil justice system occurs, and which includes domestic violence
19 services such as those provided by domestic violence programs,
20 community advocates, and legal advocates, as defined in RCW 70.123.020.
21 Existing funding for purposes of this subsection is defined as calendar
22 year 1989 actual operating expenditures for criminal justice purposes.
23 Calendar year 1989 actual operating expenditures for criminal justice
24 purposes exclude the following: Expenditures for extraordinary events
25 not likely to reoccur, changes in contract provisions for criminal
26 justice services, beyond the control of the local jurisdiction
27 receiving the services, and major nonrecurring capital expenditures.

28 **Sec. 15.** RCW 82.14.320 and 1995 c 398 s 12 and 1995 c 312 s 84 are
29 each reenacted and amended to read as follows:

30 (1) The municipal criminal justice assistance account is created in
31 the state treasury.

32 (2) No city may receive a distribution under this section from the
33 municipal criminal justice assistance account unless:

34 (a) The city has a crime rate in excess of one hundred twenty-five
35 percent of the state-wide average as calculated in the most recent
36 annual report on crime in Washington state as published by the
37 Washington association of sheriffs and police chiefs;

1 (b) The city has levied the tax authorized in RCW 82.14.030(2) at
2 the maximum rate or the tax authorized in RCW 82.46.010(3) at the
3 maximum rate; and

4 (c) The city has a per capita yield from the tax imposed under RCW
5 82.14.030(1) at the maximum rate of less than one hundred fifty percent
6 of the state-wide average per capita yield for all cities from such
7 local sales and use tax.

8 (3) The moneys deposited in the municipal criminal justice
9 assistance account for distribution under this section(~~(, less any~~
10 ~~moneys appropriated for purposes under RCW 82.44.110,)~~) shall be
11 distributed at such times as distributions are made under RCW
12 82.44.150. The distributions shall be made as follows:

13 (a) Unless reduced by this subsection, thirty percent of the moneys
14 shall be distributed ratably based on population as last determined by
15 the office of financial management to those cities eligible under
16 subsection (2) of this section that have a crime rate determined under
17 subsection (2)(a) of this section which is greater than one hundred
18 seventy-five percent of the state-wide average crime rate. No city may
19 receive more than fifty percent of any moneys distributed under this
20 subsection (3)(a) but, if a city distribution is reduced as a result of
21 exceeding the fifty percent limitation, the amount not distributed
22 shall be distributed under (b) of this subsection.

23 (b) The remainder of the moneys, including any moneys not
24 distributed in subsection (2)(a) of this section, shall be distributed
25 to all cities eligible under subsection (2) of this section ratably
26 based on population as last determined by the office of financial
27 management.

28 (4) No city may receive more than thirty percent of all moneys
29 distributed under subsection (3) of this section.

30 (5) Notwithstanding other provisions of this section, the
31 distributions to any city that substantially decriminalizes or repeals
32 its criminal code after July 1, 1990, and that does not reimburse the
33 county for costs associated with criminal cases under RCW 3.50.800 or
34 3.50.805(2), shall be made to the county in which the city is located.

35 (6) Moneys distributed under this section shall be expended
36 exclusively for criminal justice purposes and shall not be used to
37 replace or supplant existing funding. Criminal justice purposes are
38 defined as activities that substantially assist the criminal justice
39 system, which may include circumstances where ancillary benefit to the

1 civil justice system occurs, and which includes domestic violence
2 services such as those provided by domestic violence programs,
3 community advocates, and legal advocates, as defined in RCW 70.123.020,
4 and publications and public educational efforts designed to provide
5 information and assistance to parents in dealing with runaway or at-
6 risk youth. Existing funding for purposes of this subsection is
7 defined as calendar year 1989 actual operating expenditures for
8 criminal justice purposes. Calendar year 1989 actual operating
9 expenditures for criminal justice purposes exclude the following:
10 Expenditures for extraordinary events not likely to reoccur, changes in
11 contract provisions for criminal justice services, beyond the control
12 of the local jurisdiction receiving the services, and major
13 nonrecurring capital expenditures.

14 **Sec. 16.** RCW 82.14.330 and 1995 c 398 s 13 are each amended to
15 read as follows:

16 (1) The moneys deposited in the municipal criminal justice
17 assistance account for distribution under this section(~~(, less any~~
18 ~~moneys appropriated for purposes under RCW 82.44.110,)~~) shall be
19 distributed to the cities of the state as follows:

20 (a) Twenty percent appropriated for distribution shall be
21 distributed to cities with a three-year average violent crime rate for
22 each one thousand in population in excess of one hundred fifty percent
23 of the state-wide three-year average violent crime rate for each one
24 thousand in population. The three-year average violent crime rate
25 shall be calculated using the violent crime rates for each of the
26 preceding three years from the annual reports on crime in Washington
27 state as published by the Washington association of sheriffs and police
28 chiefs. Moneys shall be distributed under this subsection (1)(a)
29 ratably based on population as last determined by the office of
30 financial management, but no city may receive more than one dollar per
31 capita. Moneys remaining undistributed under this subsection at the
32 end of each calendar year shall be distributed to the criminal justice
33 training commission to reimburse participating city law enforcement
34 agencies with ten or fewer full-time commissioned patrol officers the
35 cost of temporary replacement of each officer who is enrolled in basic
36 law enforcement training, as provided in RCW 43.101.200.

1 (b) Sixteen percent shall be distributed to cities ratably based on
2 population as last determined by the office of financial management,
3 but no city may receive less than one thousand dollars.

4 The moneys deposited in the municipal criminal justice assistance
5 account for distribution under this subsection shall be distributed at
6 such times as distributions are made under RCW 82.44.150.

7 Moneys distributed under this subsection shall be expended
8 exclusively for criminal justice purposes and shall not be used to
9 replace or supplant existing funding. Criminal justice purposes are
10 defined as activities that substantially assist the criminal justice
11 system, which may include circumstances where ancillary benefit to the
12 civil justice system occurs, and which includes domestic violence
13 services such as those provided by domestic violence programs,
14 community advocates, and legal advocates, as defined in RCW 70.123.020.
15 Existing funding for purposes of this subsection is defined as calendar
16 year 1989 actual operating expenditures for criminal justice purposes.
17 Calendar year 1989 actual operating expenditures for criminal justice
18 purposes exclude the following: Expenditures for extraordinary events
19 not likely to reoccur, changes in contract provisions for criminal
20 justice services, beyond the control of the local jurisdiction
21 receiving the services, and major nonrecurring capital expenditures.

22 (2) In addition to the distributions under subsection (1) of this
23 section:

24 (a) Fourteen percent shall be distributed to cities that have
25 initiated innovative law enforcement strategies, including alternative
26 sentencing and crime prevention programs. No city may receive more
27 than one dollar per capita under this subsection (2)(a).

28 (b) Twenty percent shall be distributed to cities that have
29 initiated programs to help at-risk children or child abuse victim
30 response programs. No city may receive more than fifty cents per
31 capita under this subsection (2)(b).

32 (c) Twenty percent shall be distributed to cities that have
33 initiated programs designed to reduce the level of domestic violence
34 within their jurisdictions or to provide counseling for domestic
35 violence victims. No city may receive more than fifty cents per capita
36 under this subsection (2)(c).

37 (d) Ten percent shall be distributed to cities that contract with
38 another governmental agency for a majority of the city's law
39 enforcement services.

1 Moneys distributed under this subsection shall be distributed to
2 those cities that submit funding requests under this subsection to the
3 department of community, trade, and economic development based on
4 criteria developed under RCW 82.14.335. Allocation of funds shall be
5 in proportion to the population of qualified jurisdictions, but the
6 distribution to a city shall not exceed the amount of funds requested.
7 Cities shall submit requests for program funding to the department of
8 community, trade, and economic development by November 1 of each year
9 for funding the following year. The department shall certify to the
10 state treasurer the cities eligible for funding under this subsection
11 and the amount of each allocation.

12 The moneys deposited in the municipal criminal justice assistance
13 account for distribution under this subsection, less any moneys
14 appropriated for purposes under RCW 82.44.110, shall be distributed at
15 the times as distributions are made under RCW 82.44.150. Moneys
16 remaining undistributed under this subsection at the end of each
17 calendar year shall be distributed to the criminal justice training
18 commission to reimburse participating city law enforcement agencies
19 with ten or fewer full-time commissioned patrol officers the cost of
20 temporary replacement of each officer who is enrolled in basic law
21 enforcement training, as provided in RCW 43.101.200.

22 If a city is found by the state auditor to have expended funds
23 received under this subsection in a manner that does not comply with
24 the criteria under which the moneys were received, the city shall be
25 ineligible to receive future distributions under this subsection until
26 the use of the moneys are justified to the satisfaction of the director
27 or are repaid to the state general fund. The director may allow
28 noncomplying use of moneys received under this subsection upon a
29 showing of hardship or other emergent need.

30 (3) Notwithstanding other provisions of this section, the
31 distributions to any city that substantially decriminalizes or repeals
32 its criminal code after July 1, 1990, and that does not reimburse the
33 county for costs associated with criminal cases under RCW 3.50.800 or
34 3.50.805(2), shall be made to the county in which the city is located.

35 NEW SECTION. **Sec. 17.** The following acts or parts of acts are
36 each repealed:

37 (1) RCW 82.44.155 and 1993 c 492 s 254, 1991 c 199 s 223, & 1990 c
38 42 s 309; and

1 (2) RCW 82.44.160 and 1995 c 28 s 1.

2 NEW SECTION. **Sec. 18.** Sections 7 through 9 and 12 of this act
3 constitute a new chapter in Title 82 RCW.

4 NEW SECTION. **Sec. 19.** (1) Section 1 of this act takes effect July
5 1, 1997, and expires July 1, 1999.

6 (2) Section 2 of this act takes effect July 1, 1999, and expires
7 July 1, 2001.

8 (3) Section 3 of this act takes effect July 1, 2001, and expires
9 July 1, 2003.

10 (4) Section 4 of this act takes effect July 1, 2003.

11 (5) Sections 5 and 6 of this act take effect July 1, 1997.

12 (6) Sections 7 through 11 of this act take effect July 1, 2001.

13 (7) Sections 12 through 16 of this act take effect July 1, 2003.

14 (8) Section 17 of this act takes effect July 1, 2001.

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