

# SENATE BILL REPORT

## SHB 2039

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As of February 23, 1998

**Title:** An act relating to inmate fees.

**Brief Description:** Making an inmate liable for the costs of the incarceration.

**Sponsors:** House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Johnson, Ballasiotes, Bush, Koster, Sump, Clements, Mielke, Dunn, Hickel, D. Schmidt, McMorris, Mulliken, Benson, D. Sommers, Smith, Mitchell, Boldt, Sheahan, Pennington, Delvin, Talcott, Sheldon, Wensman, Schoesler and Honeyford).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/24/98.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Fara Daun (786-7459)

**Background:** Under current law, the Department of Corrections is permitted to recoup costs of incarceration by deducting a specified percentage from inmate an inmate's paycheck and by taking a specified percentage of most other funds the inmate receives while in confinement.

**Summary of Bill:** Municipalities, counties, and the state may require inmates to pay the costs incurred as a result of their incarceration into a community restoration fund after the inmate is released. Liability for payment is by court decree. The amount is limited to the average daily cost of incarceration.

Government agencies that demand payment of community restoration fees must do so, in writing, at the time of an offender's release and must set a reasonable date for restitution to be made. Fees are based on an offender's ability to pay at the time of sentencing.

Failure to pay on the date that restitution is due, to make suitable payment arrangements, or to pay as agreed is a class 2 civil infraction.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on July 1, 1998.