

1 **2SHB 1252 - H AMD 0080 ADOPTED 3/16/99**

2 By Representative Ballasiotes

3 On page 39, line 1, after release.- strike all material through  
4 line 11 and insert the following:

5 (4) The department, in consultation with the Washington  
6 association of sheriffs and police chiefs and those counties in which  
7 the sheriff does not operate a correctional facility, shall establish  
8 a methodology for determining the department's local correctional  
9 facilities bed utilization rate, for each county in calendar year 1998,  
10 for offenders being held for violations of community custody, community  
11 placement, and community supervision. For confinement sanctions  
12 imposed under RCW 9.94A.205(2)(c), the local correctional facility  
13 shall continue to be financially responsible to the extent of the 1998  
14 bed utilization rate. If the department's use of bed space in local  
15 correctional facilities of any county for confinement sanctions imposed  
16 on offenders sentenced to a term of community custody under RCW  
17 9.94A.120(7) or (11) or 9.94A 383 exceeds the 1998 bed utilization rate  
18 for the county, the department shall compensate the county for the  
19 excess use at a per diem rate equal to the lowest rate charged by the  
20 county under its contract with a municipal government during the year  
21 in which the use occurs.-

**EFFECT:** In addition to consulting with the Washington Association of Sheriffs and Police Chiefs when determining local correctional facilities bed utilization rates, the Department of Corrections (DOC) also must consult with those counties in which the sheriff does not operate a correctional facility. Requires that calendar year 1998 be used as the baseline for determining the existing bed utilization rate and requires the DOC to compensate the counties for use in excess of this amount at the lowest per diem rate the county charges municipalities.