

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2541

Chapter 125, Laws of 2002

57th Legislature
2002 Regular Session

JAIL SERVICES--INTERLOCAL AGREEMENTS

EFFECTIVE DATE: 6/13/02

Passed by the House March 9, 2002
Yeas 94 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 5, 2002
Yeas 44 Nays 0

BRAD OWEN
President of the Senate

Approved March 26, 2002

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2541** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

March 26, 2002 - 9:00 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2541

AS AMENDED BY THE SENATE

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Hurst, Jarrett, Ballasiotes, O'Brien, Dickerson, Edwards, Miloscia, Morell, Rockefeller, Haigh and Linville)

Read first time 02/05/2002. Referred to Committee on .

1 AN ACT Relating to interlocal agreements for jail services; and
2 amending RCW 70.48.090 and 70.48.220.

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

4 **Sec. 1.** RCW 70.48.090 and 1987 c 462 s 7 are each amended to read
5 as follows:

6 (1) Contracts for jail services may be made between a county and a
7 city (~~located within the boundaries of a county~~), and among counties
8 and cities. The contracts shall: Be in writing, give one governing
9 unit the responsibility for the operation of the jails, specify the
10 responsibilities of each governing unit involved, and include the
11 applicable charges for custody of the prisoners as well as the basis
12 for adjustments in the charges. The contracts may be terminated only
13 by ninety days written notice to the governing units involved and to
14 the office. The notice shall state the grounds for termination and the
15 specific plans for accommodating the affected jail population.

16 (2) The contract authorized in subsection (1) of this section shall
17 be for a minimum term of ten years when state funds are provided to
18 construct or remodel a jail in one governing unit that will be used to
19 house prisoners of other governing units. The contract may not be

1 terminated prior to the end of the term without the office's approval.
2 If the contract is terminated, or upon the expiration and nonrenewal of
3 the contract, the governing unit whose jail facility was built or
4 remodeled to hold the prisoners of other governing units shall pay to
5 the state treasurer the amount set by the corrections standards board
6 or office when it authorized disbursement of state funds for the
7 remodeling or construction under RCW 70.48.120. This amount shall be
8 deposited in the local jail improvement and construction account and
9 shall fairly represent the construction costs incurred in order to
10 house prisoners from other governing units. The office may pay the
11 funds to the governing units which had previously contracted for jail
12 services under rules which the office may adopt. The acceptance of
13 state funds for constructing or remodeling consolidated jail facilities
14 constitutes agreement to the proportionate amounts set by the office.
15 Notice of the proportionate amounts shall be given to all governing
16 units involved.

17 (3) A city or county primarily responsible for the operation of a
18 jail or jails may create a department of corrections to be in charge of
19 such jail and of all persons confined therein by law, subject to the
20 authority of the governing unit. If such department is created, it
21 shall have charge of jails and persons confined therein. If no such
22 department of corrections is created, the chief law enforcement officer
23 of the city or county primarily responsible for the operation of said
24 jail shall have charge of the jail and of all persons confined therein.

25 **Sec. 2.** RCW 70.48.220 and 1979 ex.s. c 232 s 19 are each amended
26 to read as follows:

27 A person (~~(convicted of)~~) confined for an offense punishable by
28 imprisonment in a city or county jail may be confined in the jail of
29 any city or county contracting with the prosecuting city or county for
30 jail services.

31 A jurisdiction that confines persons prior to conviction in a jail
32 in another county is responsible for providing private telephone,
33 video-conferencing, or in-person contact between the defendant and his
34 or her public defense counsel.

Passed the House March 9, 2002.

Passed the Senate March 5, 2002.

Approved by the Governor March 26, 2002.

Filed in Office of Secretary of State March 26, 2002.