

# FINAL BILL REPORT

## HB 1218

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Synopsis as Enacted

**Brief Description:** Changing the requirement that contempt of court sanctions be served in the county jail.

**Sponsors:** Representatives Goodman, Klippert, O'Brien, Ross, Simpson and Williams.

**House Committee on Judiciary**  
**Senate Committee on Judiciary**

### **Background:**

A judge or commissioner may impose sanctions for contempt of court. Contempt of court generally involves disorderly conduct in a judicial proceeding, disobedience of a court order, or unlawful refusal to appear or cooperate as a witness or to produce records or documents.

Sanctions imposed for contempt of court may be either punitive or remedial. Punitive sanctions are imposed to punish a past contempt of court and remedial sanctions are imposed to coerce performance with a court order. A proceeding to impose a punitive sanction must be initiated by the prosecuting or city attorney, and a proceeding for a remedial sanction may be initiated by the court on its own motion or the motion of an aggrieved person. In addition, a judge presiding in an action may immediately and summarily impose either a remedial or punitive sanction for a contempt of court committed in the judge's presence.

A court may impose a monetary penalty, imprisonment, or both, as either a remedial or punitive sanction for contempt of court. The contempt of court statute provides that imprisonment imposed in a proceeding for a punitive sanction, or for contempt committed in the presence of a judge, must be served in the county jail.

### **Summary:**

The contempt of court statute is revised to allow detention imposed for contempt of court to be served in any jail, not just in the county jail.

### **Votes on Final Passage:**

House	95	0
Senate	48	0

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Effective:** July 26, 2009