

SENATE BILL REPORT

SB 6211

As Reported By Senate Committee On:
Government Operations, January 31, 1996

Title: An act relating to criminal justice costs.

Brief Description: Concerning interlocal agreements.

Sponsors: Senators Haugen, Smith, Hale, McCaslin and Hochstatter.

Brief History:

Committee Activity: Government Operations: 1/25/96, 1/31/96 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 6211 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey, McCaslin and Winsley.

Staff: Diane Smith (786-7410)

Background: Cities are charged a filing fee for every criminal or traffic infraction, with exceptions, filed by a city for an ordinance violation.

All persons convicted of felonies or misdemeanors and sentenced to jail are the financial responsibility of the city or county.

The cities and counties have disagreed about the equitable apportionment of these criminal justice costs as they apply to misdemeanor and gross misdemeanor offenses.

Summary of Substitute Bill: The Interlocal Cooperation Act is amended to require each county, city or town to be responsible for the costs incident to misdemeanors and gross misdemeanor offenses occurring in their respective jurisdictions. The only exception to this is by contract or interlocal agreement. The negotiation of the agreement must consider costs and revenues incident to the provision of these criminal justice services.

If an agreement on the level of compensation cannot be reached, either party may invoke binding arbitration.

Substitute Bill Compared to Original Bill: The substitute bill clarifies that the law enforcement agency which refers the offense retains responsibility for it, even in cases of overlapping jurisdictions. The substitute also clarifies that offenses which began as felonies remain felonies even though a plea bargain may reduce them to a misdemeanor.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 1997.

Testimony For: This will reduce suits of government against government, make district and municipal courts work and create a process for negotiation.

Testimony Against: None.

Testified: Kurt Sharar, WA State Assoc. of Counties (pro); Tom McBride, WA Assoc. of Prosecuting Attorneys (pro); Mike Smith, Pacific Co. Prosecutor (pro); Kathy Gerke, WA Assoc. of Cities (pro); Ken Stone, City of Spokane (pro); Sheriff Mike Kline, WSSA (pro); Bill Wiester, WASPC (pro); K.O. Rosenberg, NE Tri-Counties (pro).