

SENATE BILL REPORT

SB 6315

As Reported By Senate Committee On:
Human Services & Corrections, January 22, 1996

Title: An act relating to offender debts.

Brief Description: Revising procedures for recoupment of assessments against offenders.

Sponsors: Senators Hargrove, Long, Kohl and Schow; by request of Department of Corrections.

Brief History:

Committee Activity: Human Services & Corrections: 1/11/96, 1/22/96 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6315 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Long, Moyer, Schow, Strannigan, Thibaudeau and Zarelli.

Staff: Andrea McNamara (786-7483)

Background: Under legislation passed in 1995, the Department of Corrections is required to record a debt against an offender's institution account when the department provides certain services and supplies to an inmate who is indigent. The department is further authorized to recoup the assessments if/when the offender's institution account later exceeds the indigency standard.

A federal district court in eastern Washington recently ruled that the department does not have authority under current law to collect court costs from an offender's institution account when the court dismisses the offender's lawsuit against the department and assesses court costs against him or her.

Summary of Substitute Bill: The authority of the Department of Corrections to collect offender debts is expanded to include other remedies after offenders are released from incarceration and no longer have institution accounts.

The department is also required to record as a debt against an offender's institution account any costs assessed by a court against an inmate plaintiff where the state is providing a defense to the action.

The department is authorized to use the collection services available through general administration or private collection agencies to collect outstanding debts owed by offenders to the department after their release from incarceration. The conditions for contracting with private collection agencies are specified.

Substitute Bill Compared to Original Bill: The authorization for the department to utilize private collection agencies or general administration collection services is added by the substitute bill.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The authority granted in this bill will add to and clarify the remedies currently available to the department for collecting offender debts. The expanded authority is consistent with the intent of the 1995 legislation to make offenders more accountable financially for the costs of their incarceration.

Testimony Against: None.

Testified: Margaret Vonheeder, Director of the Division of Management and Budget, Department of Corrections (pro).