
SENATE BILL 6211

State of Washington

54th Legislature

1996 Regular Session

By Senators Haugen, Smith, Hale, McCaslin and Hochstatter

Read first time 01/09/96. Referred to Committee on Government Operations.

1 AN ACT Relating to criminal justice costs; adding a new section to
2 chapter 39.34 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.34 RCW
5 to read as follows:

6 (1) Each county, city, and town is responsible for the prosecution,
7 adjudication, sentencing, and incarceration of misdemeanor and gross
8 misdemeanor offenses occurring in their respective jurisdictions,
9 whether filed under state law or city ordinance, and must carry out
10 these responsibilities through the use of their own courts, staff, and
11 facilities, or by entering into contracts or interlocal agreements
12 under this chapter to provide these services. Nothing in this section
13 is intended to alter the statutory responsibilities of each county for
14 the prosecution, adjudication, sentencing, and incarceration for not
15 more than one year of felony offenders.

16 (2) The following principles must be followed in negotiating
17 interlocal agreements or contracts: Cities and counties must consider
18 (a) anticipated costs of services; and (b) anticipated and potential
19 revenues to fund the services, including fines and fees, criminal

1 justice funding, and state-authorized sales tax funding levied for
2 criminal justice purposes.

3 (3) If an agreement as to the levels of compensation within an
4 interlocal agreement or contract for gross misdemeanor and misdemeanor
5 services cannot be reached between a city and county, then either party
6 may invoke binding arbitration on the compensation issued by notice to
7 the other party. In the case of establishing initial compensation, the
8 notice shall request arbitration within thirty days. In the case of
9 nonrenewal of an existing contract or interlocal agreement, the notice
10 must be given one hundred twenty days prior to the expiration of the
11 existing contract or agreement and the existing contract or agreement
12 remains in effect until a new agreement is reached or until an
13 arbitration award on the matter of fees is made. The city and county
14 each select one arbitrator, and the initial two arbitrators pick a
15 third arbitrator.

16 NEW SECTION. **Sec. 2.** This act shall take effect January 1, 1997.

--- END ---