

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6315

Chapter 277, Laws of 1996

54th Legislature
1996 Regular Session

OFFENDER DEBTS--RECOUPMENT

EFFECTIVE DATE: 6/6/96

Passed by the Senate March 2, 1996
YEAS 46 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House February 29, 1996
YEAS 96 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 29, 1996

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6315** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 29, 1996 - 5:00 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6315

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Long, Kohl and Schow; by request of Department of Corrections)

Read first time 01/24/96.

1 AN ACT Relating to offender debts; and amending RCW 72.09.450.

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

3 **Sec. 1.** RCW 72.09.450 and 1995 1st sp.s. c 19 s 4 are each amended
4 to read as follows:

5 (1) An inmate shall not be denied access to services or supplies
6 required by state or federal law solely on the basis of his or her
7 inability to pay for them.

8 (2) The department shall record all lawfully authorized assessments
9 for services or supplies as a debt to the department (~~and~~). The
10 department shall recoup the assessments when the inmate's institutional
11 account exceeds the indigency standard, and may pursue other remedies
12 to recoup the assessments after the period of incarceration.

13 (3) The department shall record as a debt any costs assessed by a
14 court against an inmate plaintiff where the state is providing defense
15 pursuant to chapter 4.92 RCW. The department shall recoup the debt
16 when the inmate's institutional account exceeds the indigency standard
17 and may pursue other remedies to recoup the debt after the period of
18 incarceration.

1 (4) In order to maximize the cost-efficient collection of unpaid
2 offender debt existing after the period of an offender's incarceration,
3 the department is authorized to use the following nonexclusive options:
4 (a) Use the collection services available through the department of
5 general administration, or (b) notwithstanding any provision of chapter
6 41.06 RCW, contract with collection agencies for collection of the
7 debts. The costs for general administration or collection agency
8 services shall be paid by the debtor. Any contract with a collection
9 agency shall only be awarded after competitive bidding. Factors the
10 department shall consider in awarding a collection contract include but
11 are not limited to a collection agency's history and reputation in the
12 community; and the agency's access to a local data base that may
13 increase the efficiency of its collections. The servicing of an unpaid
14 obligation to the department does not constitute assignment of a debt,
15 and no contract with a collection agency may remove the department's
16 control over unpaid obligations owed to the department.

Passed the Senate March 2, 1996.

Passed the House February 29, 1996.

Approved by the Governor March 29, 1996.

Filed in Office of Secretary of State March 29, 1996.