**6360-S AMH JUDI H4585.1 - NOT FOR FLOOR USE**

**SSB 6360** - H COMM AMD

By Committee on Judiciary

**ADOPTED 03/03/2016**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The office of the attorney general shall convene a work group of stakeholders to provide input and feedback on the development of a plan and program for the efficient statewide consolidation of an individual's traffic-based financial obligations imposed by courts of limited jurisdiction into a unified and affordable payment plan.

(2) The following must be invited to participate in the work group:

(a) The administrator for the courts or the administrator for the courts' designee;

(b) The director of the Washington state department of licensing or the director's designee;

(c) A district or municipal court judge, appointed by the district and municipal court judges' association;

(d) A prosecutor, appointed by the Washington association of prosecuting attorneys, or the prosecutor's designee;

(e) A public defender, jointly appointed by the Washington defender association and the Washington association of criminal defense lawyers;

(f) A district or municipal court administrator or manager, appointed by the district and municipal court management association;

(g) A representative of a civil legal aid organization, appointed by the office of civil legal aid;

(h) The chief of the Washington state patrol or the chief's designee;

(i) A representative of a statewide association of police chiefs and sheriffs, selected by the association;

(j) The director of the Washington traffic safety commission or the director's designee;

(k) A representative of a statewide association of city governments, selected by the association;

(l) A representative of a statewide association of counties, selected by the association; and

(m) A representative of a statewide association of collection professionals.

(3) The work group shall convene as necessary.

(4) The stakeholder work group shall provide final feedback and recommendations to the office of the attorney general no later than September 15, 2017.

NEW SECTION. **Sec.**  (1) At a minimum, the plan must:

(a) Provide for the participation in the statewide system by all courts of limited jurisdiction;

(b) Establish proposed uniform procedures and eligibility criteria for participation in the program by individuals, how payment plans will be established, how community restitution in lieu of all or part of a monetary penalty may be incorporated in the payment plans, and the circumstances and procedures for terminating an individual's participation in the program;

(c) Provide recommendations regarding which traffic-based financial obligations should be included and whether any should not be included. These recommendations must address whether or not to include obligations arising out of red light camera violations; and

(d) Provide recommendations regarding how to create and implement the program through supreme court rule making, legislation, or a combination thereof.

(2) Considerations for the program may include, but not be limited to:

(a) Procedures to allow traffic-based financial obligations incurred after establishment of a payment plan to be added to and consolidated with an existing unified payment plan;

(b) Provisions for waiving previously accumulated interest once a person is determined to be eligible for the program, establishes a payment plan, and makes an initial payment in accordance with the terms of such a plan;

(c) Procedures for communicating to the courts of limited jurisdiction when a person enters into a payment plan for traffic-based financial obligations and makes an initial payment thereon, so that the courts of limited jurisdiction can notify the department of licensing and which shall result in the department of licensing releasing any suspension of that person's driver's license or driver's privilege based on failure to respond to or pay those traffic-based financial obligations;

(d) A process for proportionally allocating any moneys collected through a consolidated payment plan between the courts that imposed the financial obligations included in the consolidated plan;

(e) Whether to contract with outside entities to administer the program;

(f) What fee, if any, should be assessed to the individual participating in the program for the administration of such services, which may be calculated on a periodic, percentage, or other basis, and the limits on such fees if the program is to be administered by an outside entity;

(g) Appropriate uniform administrative protocols and associated workflow coordination for the administrative office of the courts and for courts of limited jurisdiction;

(h) Uniform guidelines for establishing reasonable, affordable payment plans that are based on an individual's income and capacity to pay, as well as policies and procedures for recording the terms of such plans in a written document provided to program participants;

(i) Policies and procedures to remit money received on a monthly basis to courts that includes an accounting of the involved case numbers and their remaining balances due; and

(j) Policies and procedures for establishing default for when a program participant fails to meet the terms of the payment plan, for other grounds for terminating program participation, and to provide timely notice to courts.

NEW SECTION. **Sec.**  (1) Notwithstanding any other provision in this act, the plan required by this act must not:

(a) Provide for or make recommendations regarding the reinstatement of driving privileges when the revocation of a person's driving privileges is made mandatory by the provisions of chapter 46.20 RCW or other law; or

(b) Include provisions or recommendations related to altering the original amount of any traffic-based financial obligation imposed by any court of limited jurisdiction.

(2) Nothing herein prohibits local jurisdictions or state agencies from offering training in how to provide participants with life skills, driver's education, or budget management classes, or from offering other resources targeted towards addressing the social barriers facing participants with chronically suspended driver's licenses for unpaid traffic fines.

NEW SECTION. **Sec.**  The office of the attorney general shall submit a report detailing its recommendations and the plan and program required by this act to the Washington state supreme court, the governor, and appropriate committees of the legislature no later than December 1, 2017.

NEW SECTION. **Sec.**  This act expires December 31, 2017."

Correct the title.

EFFECT: Adds a section providing direction, similar with that found in EHB 2659, with respect to what the plan and program for the efficient statewide consolidation of an individual's traffic-based financial obligations must, may, and must not include, with the following difference: The amendment includes direction to provide recommendations with respect to whether or not to include obligations arising from red light camera violations, as did EHB 2659, but does not include another piece of that subsection that would require recommendations regarding parking and other nonmoving violations.