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**HOUSE BILL 1769**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Goodman, Hayes, Pellicciotti, Pettigrew, Orwall, and Chapman

AN ACT Relating to supporting law enforcement's efforts to implement the recommendations of the joint legislative task force on the use of deadly force in community policing; amending RCW 43.101.427, 3.50.100, 3.62.040, 7.68.035, 10.82.070, 10.82.090, 10.105.010, 35.20.220, 36.18.020, 36.18.025, 41.26.800, 43.08.250, 43.17.150, 46.63.110, 46.64.055, and 77.12.201; reenacting and amending RCW 3.62.020, 36.18.012, and 43.84.092; adding new sections to chapter 36.28A RCW; adding a new section to chapter 43.10 RCW; adding a new section to chapter 70.48 RCW; adding new sections to chapter 43.101 RCW; adding a new section to chapter 43.330 RCW; and creating new sections.

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

**PART I**

**INTENT**

NEW SECTION. **Sec.**  (1) The legislature recognizes that recent events across our state and the nation have drawn attention to the use of deadly force by law enforcement, particularly within historically underrepresented communities. The legislature responded to these events by creating the joint legislative task force on the use of deadly force in community policing, directing the task force to review laws and policies related to this complex and challenging issue, and to submit recommendations to reduce the number of violent interactions between law enforcement and the communities they serve.

(2) While the legislature recognizes that the task force's assignment was formidable, and the work of the task force members was often uncomfortable and emotionally charged, the legislature commends each task force member for their invaluable contributions to this important endeavor. Notwithstanding the challenges they faced, the task force submitted fifteen recommendations to the legislature, many of which were unanimous and some of which were submitted with the expectation that continued work was needed.

(3) Washington leads the nation with its standards and practices for certification and decertification of peace officers as well as with mandated innovative and proven training curricula, such as crisis intervention training, deescalation techniques, the guardian philosophy, and blue courage policing. However, the task force's recommendations confirm that we can, and must, do better.

(4) The legislature intends to provide the necessary support to law enforcement and the necessary policy changes to further and promote the recommendations of the joint legislative task force on the use of deadly force in community policing. Those recommendations, best described as a package of recommendations to reduce violent interactions between law enforcement and the communities they serve include, at a minimum, modification of our use of deadly force statute, adequate funding for law enforcement training, additional advanced training for law enforcement, procurement of less lethal weapons and the attendant training in their use, and the collection of data on the use of deadly force.

**PART II**

**LESS LETHAL WEAPONS**

NEW SECTION. **Sec.**  A new section is added to chapter 36.28A RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall establish a grant program to assist local law enforcement agencies in procuring less lethal weapons for primary responding law enforcement officers.

(2) Grant applications must be reviewed and grants must be awarded through peer review panels. Grant applicants must demonstrate a commitment to providing the training of primary responding law enforcement officers in the proper use of less lethal weapons and proper maintenance of the weapons.

(3) The Washington association of sheriffs and police chiefs shall submit a report by December 30th of each year of the grant program to the appropriate committees of the legislature, the governor, and the criminal justice training commission regarding the program, including the agencies receiving funds, the amounts distributed, and the equipment or other items or services purchased with the funds.

(4) For the purpose of this section, "less lethal weapons" means conducted energy devices and similar technologies.

**PART III**

**DEADLY FORCE DATA COLLECTION**

NEW SECTION. **Sec.**  A new section is added to chapter 43.10 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, beginning January 1, 2018, all Washington law enforcement agencies must report to the office of the attorney general information regarding each incident where: Deadly force is applied; and force is applied if death or great bodily harm results. The report must include the following with respect to each incident:

(a) The demographic characteristics of the officer or officers applying the force and the person to which the force was applied, including sex, age, race, ethnicity, and disability, if known;

(b) The type of force used and, where applicable, firearm discharge data;

(c) The agency or agencies employing the officer or officers applying the force;

(d) The location of the incident;

(e) The known injuries of the involved officer or officers and of the person to which the force was applied; and

(f) Any other information the attorney general determines relevant to accurately record the circumstances of each incident.

(2) By December 1, 2018, and annually thereafter, the office of the attorney general must compile and publish the data collected under this section. The attorney general shall ensure that the reporting is likely to comply with pending federal use of deadly force reporting standards.

(3) For purposes of this section:

(a) "Deadly force" has the same meaning as provided in RCW 9A.16.010;

(b) "Great bodily harm" has the same meaning as provided in RCW 9A.04.110; and

(c) "Washington law enforcement agencies" includes general authority Washington law enforcement agencies as defined in RCW 10.93.020 and limited authority Washington law enforcement agencies as defined in RCW 10.93.020.

**PART IV**

**ACCREDITATION**

NEW SECTION. **Sec.**  A new section is added to chapter 70.48 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the jail accreditation project is established for the purpose of incentivizing jails to seek and receive accreditation to improve the safety and welfare of correctional officers, inmates, and the public.

(2) The criminal justice training commission shall administer the project. The criminal justice training commission may adopt policies and procedures necessary to administer the project. The criminal justice training commission shall develop and maintain a list of approved accreditation projects for the distributions authorized in this section. Accreditation projects under this section must be comprehensive rather than targeted to one specific feature of jail operations or health and safety standards.

(3) Every jail operating under the authority of this chapter shall report its accreditation status to the criminal justice training commission by an annual deadline established by the commission, including any documentation required by the commission.

(4) The criminal justice training commission, subject to any limitations specified in the appropriation for this purpose, shall distribute a financial distribution award to each jail awarded an accreditation or reaccreditation in the previous calendar year. The commission shall develop a sliding scale formula to determine the amount of the distribution awards under this section by taking into account the jail's size, population served, services offered, and jurisdiction. The amount may not exceed one hundred thousand dollars. A jail may not receive more than one distribution in any calendar year.

(5) Beginning December 1, 2017, and annually thereafter, the criminal justice training commission shall submit a report to the appropriate committees of the legislature and the governor on the jail accreditation project, including the accreditation status of jails and the amounts distributed under this section.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the law enforcement accreditation project is established for the purpose of incentivizing law enforcement agencies to seek and receive accreditation.

(2) The commission shall administer the project. The commission may adopt policies and procedures necessary to administer the project. The commission shall develop and maintain a list of approved accreditation projects for the distributions authorized in this section. Accreditation projects under this section must be comprehensive rather than targeted to one specific feature of law enforcement operations. Approved accreditation projects must promote the professionalization of the law enforcement industry through an ongoing review, implementation, and revision of industry best practices and standards.

(3) Every law enforcement agency shall report its accreditation status to the commission by an annual deadline established by the commission, including any documentation required by the commission.

(4) The commission, subject to any limitations specified in the appropriation for this purpose, shall distribute a financial distribution award to each law enforcement agency awarded an accreditation or reaccreditation in the previous calendar year. The commission shall develop a sliding scale formula to determine the amount of the distribution awards under this section by taking into account the agency's size, resources, and jurisdiction. The amount may not exceed fifty thousand dollars. A law enforcement agency may not receive more than one distribution in any calendar year.

(5) Beginning December 1, 2017, and annually thereafter, the commission shall submit a report to the appropriate committees of the legislature and the governor on the law enforcement accreditation project, including the accreditation status of law enforcement agencies and the amounts distributed under this section.

(6) For the purpose of this section, "law enforcement agency" has the same meaning as general authority Washington law enforcement agency in RCW 10.93.020.

**PART V**

**LAW ENFORCEMENT AND COMMUNITY ENGAGEMENT**

NEW SECTION. **Sec.**  A new section is added to chapter 36.28A RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the Washington association of sheriffs and police chiefs shall establish a grant program to assist local law enforcement agencies in establishing community engagement programs. In evaluating grant applications, the association shall consult with the Washington state fraternal order of police, the Washington council of police and sheriffs, the council of metropolitan police and sheriffs, the commission on Asian Pacific American affairs, the commission on African-American affairs, the commission on Hispanic affairs, and the governor's office of Indian affairs. Grant applications shall be reviewed and awarded through peer review panels, which must include a member from each of the commissions and a member of the governor's office of Indian affairs. Grant applicants must demonstrate consistency with relevant portions of the final report of the president's task force on twenty-first century policing. Particular priority must be given to qualified grant applicants that intend to establish or enhance engagement with historically underrepresented communities. The association shall submit a preliminary report to the legislature with details on the selected grant recipients after awards are distributed. The association shall submit an annual report on the grant program, including any information on grant recipients, use of funds, and possible outcomes, by December 1st of each year the grant program is funded.

NEW SECTION. **Sec.**  A new section is added to chapter 43.330 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall administer the community and law enforcement partnership grant program to build and foster relationships between the community and law enforcement in an effort to improve public safety. The grants must be used for the purpose of improving communication, collaboration, and partnerships between law enforcement and the community, with a particular focus on the relationships between law enforcement and communities of color and other underrepresented communities. Eligible grant recipients include community-based nongovernmental organizations with: (a) An interest in and, if possible, experience in the stated purpose of the grant program; and (b) established or a willingness to establish committed partnerships with law enforcement agencies. Grant recipients must foster communication and build partnerships through forums, community meetings, training, workshops, community organizing, and other outreach. Grant recipients must maintain a consistent and responsive point of contact for the grant program and must collect and report data on the use of funds and other measures required by the department.

(2) When evaluating grant applications, the department shall consult with the Washington association of sheriffs and police chiefs, the Washington state fraternal order of police, the Washington council of police and sheriffs, the council of metropolitan police and sheriffs, the commission on Asian Pacific American affairs, the commission on African-American affairs, the commission on Hispanic affairs, and the governor's office of Indian affairs. Grant applications shall be reviewed and awarded through peer review panels, including a member from each of the commissions and a member of the governor's office of Indian affairs.

(3) The department shall adopt policies and procedures necessary to administer the grant program. The department shall submit a preliminary report to the legislature with details on the selected grant recipients after awards are distributed. The department shall submit an annual report on the grant program, including any information on grant recipients, use of funds, and possible outcomes, by December 1st of each year the grant program is funded.

**PART VI**

**DIVERSITY IN LAW ENFORCEMENT**

NEW SECTION. **Sec.**  Subject to the availability of amounts appropriated for this specific purpose, the Washington State University division of governmental studies and services shall conduct a study on how to increase diversity in law enforcement agencies in the state. The study must include a survey of research literature and models used in other states. The Washington State University shall report its findings and recommendations to the Washington association of sheriffs and police chiefs, the appropriate committees of the legislature, and the governor by December 1, 2018.

**PART VII**

**TRAINING**

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall provide enhanced leadership training with the purpose of fostering agency culture that enhances internal legitimacy and, by extension, external legitimacy with the community. In developing the curriculum, the training shall: Recognize and address the intersection of race in policing on an individual and systemic level; develop and promote law enforcement leaders with the courage, knowledge, and skills to institutionalize a culture rooted in procedural justice principles; incorporate the recommendations of the president's task force on twenty-first century policing to build a foundation rooted in the guardian mindset; and promote innovation in the law enforcement profession. In developing the training, the commission may utilize curricula and resources of international associations and other organizations, including the leading police organizations program.

(2) By December 1, 2017, the commission shall select a manager for the enhanced leadership training program. The enhanced leadership training may not be less than one hundred hours, but may be completed in segments. Every law enforcement leader, from first level supervisor to executive, shall complete the enhanced leadership training within one year of promotion or July 1, 2020, whichever is later. The commission shall organize the enhanced leadership training to address multilevel promotions. The enhanced leadership training must replace the current three-tier system of first level, midmanagement, and executive certification.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall develop and offer advanced training for commissioned officers in accordance with the requirements in this section.

(2) By July 1, 2018, the commission shall expand advanced firearms training, including upgrading firearm decision-making simulation technologies designed to help with skills development, and make it available to law enforcement agencies statewide. The simulation technologies must foster the development of physical and mental skills, offer realistic scenarios, allow for the ability to record and recreate scenes and scenarios, and foster fair evaluations. To the extent feasible, the commission shall utilize mobile technologies to foster increased participation and lower the costs of law enforcement agencies.

(3) The commission shall update, expand, and manage a new learning management system to facilitate expanded access to training across the state. The system must expand training opportunities for rural, remote, and underfunded communities whose geographic, staffing, and fiscal constraints often preclude them from attending in-seat training courses. The system must: Foster training in the areas of crisis de-escalation and other emerging issues; allow for deployment of ongoing distance learning through the use of online and hybrid courses; have the capacity to track training costs, distribute training materials, schedule courses and facilities, track losses, and set up individualized training plans; streamline registration and payment processes; and enhance the commission's ability to survey, track, and report on compliance with training requirements. The new system must be implemented and in use by July 1, 2018.

(4) Through the learning management system, the commission shall survey law enforcement agencies statewide on the advanced training needs of commissioned officers. To the extent feasible, the commission shall develop and offer advanced training based on the needs identified through the survey, provided that the training conforms to best practices. The commission may offer advanced training under this subsection with a phased implementation plan, focusing on different training subjects and geographic areas in the state.

**Sec.**  RCW 43.101.427 and 2015 c 87 s 1 are each amended to read as follows:

(1) The commission shall provide crisis intervention training to every new full-time law enforcement officer employed after July 1, 2017, by a general authority Washington law enforcement agency. The training shall consist of not less than eight hours and shall be incorporated into the basic training academy as provided in RCW 43.101.200.

(2) The commission must ensure that:

(a) All full-time, general authority Washington peace officers who are certified after July 1, 2017, complete a two-hour online crisis intervention course as part of the annual training required by the commission for all full-time, general authority Washington peace officers employed by a general authority Washington law enforcement agency.

(b) Each full-time general authority Washington peace officer certified before July 1, 2017, receives crisis intervention training by July 1, 2021. The training shall consist of not less than eight hours and shall be substantially similar in hours and content to the training offered through the basic training academy. Each attendee of the program shall be required to obtain written proof of completion of the program as provided by rules of the commission.

(3) The commission shall make efforts to provide enhanced crisis intervention training for at least ((~~twenty-five~~)) fifty percent of all full-time, general authority Washington peace officers assigned to patrol duties. The enhanced training may be (a) comprised of forty hours of commission-certified training and (b) accomplished within any funds remaining after appropriation is made for purposes of this section.

(4) By July 1, 2017, the commission shall establish by rule:

(a) A program and standards to certify organizations, other than the commission, that may provide crisis intervention training as required under this section. Certified organizations must use a commission-certified training or curriculum to facilitate the training. The commission shall consider geographic training needs when considering programs and standards. The commission shall provide grants to general authority Washington law enforcement agencies to reimburse those law enforcement agencies for the cost of sending officers to crisis intervention training;

(b) Standards for successful completion of the annual two hours of crisis intervention training as provided in subsection (2) of this section. The standards shall include, at a minimum, the requirement of successful completion of a written exam.

(5) For the purposes of this section, "crisis intervention training" means training designed to provide tools and resources to full-time, general authority Washington peace officers in order to respond effectively to individuals who may be experiencing an emotional, mental, physical, behavioral, or chemical dependency crisis, distress, or problem and that are designed to increase the safety of both law enforcement and individuals in crisis.

(6) This section is subject to the availability of amounts appropriated for this specific purpose.

**PART VIII**

**FUNDING**

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) The public safety enhancement account is created in the state treasury. All receipts from RCW 3.50.100, 3.62.020, 3.62.040, 7.68.035, 10.82.070, 10.82.090, 10.105.010, 35.20.220, 36.18.012, 36.18.020, 36.18.025, 41.26.800, 43.08.250, 43.17.150, 46.63.110, 46.64.055, and 77.12.201 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used for:

(a) Funding the criminal justice training commission including, but not limited to: Ongoing operations of the commission; additional basic law enforcement academy classes to meet the demand to train newly hired peace officers, which may not be less than eight additional classes for the 2017-2019 biennium; and additional corrections officer academy classes to meet the demand to train newly hired correctional officers;

(b) The less lethal weapon grant program administered by the Washington association of sheriffs and police chiefs in section 201 of this act;

(c) The office of the attorney general for the data collection requirements in section 301 of this act;

(d) The jail accreditation project in section 401 of this act and the law enforcement accreditation project in section 402 of this act;

(e) The community engagement grant program administered by the Washington association of sheriffs and police chiefs in section 501 of this act;

(f) The community and law enforcement partnership grant program administered by the department of commerce in section 502 of this act;

(g) The Washington State University division of governmental studies and services for the study in section 601 of this act;

(h) The establishment of the enhanced leadership training required by section 701 of this act including, but not limited to, funding for law enforcement agencies to cover gaps in personnel needs while officers are attending training;

(i) Advanced training to law enforcement officers required by section 702 of this act including, but not limited to, funding for law enforcement agencies to cover gaps in personnel needs while officers are attending training; and

(j) Enhanced crisis intervention training for fifty percent of all full-time, general authority Washington peace officers assigned to patrol duties as required by RCW 43.101.427.

(2) The legislature may transfer into the state general fund from the account in subsection (1) of this section such amounts as reflect the excess fund balance of the account.

**Sec.**  RCW 3.50.100 and 2012 c 136 s 3 are each amended to read as follows:

(1) Costs in civil and criminal actions may be imposed as provided in district court. All fees, costs, fines, forfeitures and other money imposed by any municipal court for the violation of any municipal or town ordinances shall be collected by the court clerk and, together with any other noninterest revenues received by the clerk, shall be deposited with the city or town treasurer as a part of the general fund of the city or town, or deposited in such other fund of the city or town, or deposited in such other funds as may be designated by the laws of the state of Washington.

(2) Except as provided in RCW 9A.88.120 and 10.99.080, the city treasurer shall remit monthly thirty-two percent of the noninterest money received under this section, other than for parking infractions, and certain costs to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state, county, city, or town in the prosecution of the case, including the fees of defense counsel. Money remitted under this subsection to the state treasurer shall be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

(3) The balance of the noninterest money received under this section shall be retained by the city and deposited as provided by law.

(4) Penalties, fines, bail forfeitures, fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(5) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the state general fund, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the city general fund, and twenty-five percent to the city general fund to fund local courts.

**Sec.**  RCW 3.62.020 and 2012 c 262 s 1, 2012 c 136 s 4, and 2012 c 134 s 6 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (4) of this section, all costs, fees, fines, forfeitures and penalties assessed and collected in whole or in part by district courts, except costs, fines, forfeitures and penalties assessed and collected, in whole or in part, because of the violation of city ordinances, shall be remitted by the clerk of the district court to the county treasurer at least monthly, together with a financial statement as required by the state auditor, noting the information necessary for crediting of such funds as required by law.

(2) Except as provided in RCW 9A.88.120, 10.99.080, 7.84.100(4), and this section, the county treasurer shall remit thirty-two percent of the noninterest money received under subsection (1) of this section except certain costs to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state or county in the prosecution of the case, including the fees of defense counsel. With the exception of funds to be transferred to the judicial stabilization trust account under RCW 3.62.060(2), money remitted under this subsection to the state treasurer shall be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

(3) The balance of the noninterest money received by the county treasurer under subsection (1) of this section shall be deposited in the county current expense fund. Funds deposited under this subsection that are attributable to the county's portion of a surcharge imposed under RCW 3.62.060(2) must be used to support local trial court and court-related functions.

(4) Except as provided in RCW 7.84.100(4), all money collected for county parking infractions shall be remitted by the clerk of the district court at least monthly, with the information required under subsection (1) of this section, to the county treasurer for deposit in the county current expense fund.

(5) Penalties, fines, bail forfeitures, fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(6) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the county current expense fund, and twenty-five percent to the county current expense fund to fund local courts.

**Sec.**  RCW 3.62.040 and 2012 c 136 s 5 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, all costs, fines, forfeitures and penalties assessed and collected, in whole or in part, by district courts because of violations of city ordinances shall be remitted by the clerk of the district court at least monthly directly to the treasurer of the city wherein the violation occurred.

(2) Except as provided in RCW 9A.88.120 and 10.99.080, the city treasurer shall remit monthly thirty-two percent of the noninterest money received under this section, other than for parking infractions and certain costs, to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state, county, city, or town in the prosecution of the case, including the fees of defense counsel. Money remitted under this subsection to the state treasurer shall be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

(3) The balance of the noninterest money received under this section shall be retained by the city and deposited as provided by law.

(4) All money collected for city parking infractions shall be remitted by the clerk of the district court at least monthly to the city treasurer for deposit in the city's general fund.

(5) Penalties, fines, bail forfeitures, fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(6) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the city general fund, and twenty-five percent to the city general fund to fund local courts.

**Sec.**  RCW 7.68.035 and 2015 c 265 s 8 are each amended to read as follows:

(1)(a) When any person is found guilty in any superior court of having committed a crime, except as provided in subsection (2) of this section, there shall be imposed by the court upon such convicted person a penalty assessment. The assessment shall be in addition to any other penalty or fine imposed by law and shall be five hundred dollars for each case or cause of action that includes one or more convictions of a felony or gross misdemeanor and two hundred fifty dollars for any case or cause of action that includes convictions of only one or more misdemeanors.

(b) When any juvenile is adjudicated of an offense that is a most serious offense as defined in RCW 9.94A.030, or a sex offense under chapter 9A.44 RCW, there shall be imposed upon the juvenile offender a penalty assessment. The assessment shall be in addition to any other penalty or fine imposed by law and shall be one hundred dollars for each case or cause of action.

(c) When any juvenile is adjudicated of an offense which has a victim, and which is not a most serious offense as defined in RCW 9.94A.030 or a sex offense under chapter 9A.44 RCW, the court shall order up to seven hours of community restitution, unless the court finds that such an order is not practicable for the offender. This community restitution must be imposed consecutively to any other community restitution the court imposes for the offense.

(2) The assessment imposed by subsection (1) of this section shall not apply to motor vehicle crimes defined in Title 46 RCW except those defined in the following sections: RCW 46.61.520, 46.61.522, 46.61.024, 46.52.090, 46.70.140, 46.61.502, 46.61.504, 46.52.101, 46.20.410, 46.52.020, 46.10.495, 46.09.480, 46.61.5249, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180, 46.10.490(2), and 46.09.470(2).

(3) When any person accused of having committed a crime posts bail in superior court pursuant to the provisions of chapter 10.19 RCW and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment, in addition to any other penalty or fine imposed by law, equal to the assessment which would be applicable under subsection (1) of this section if the person had been convicted of the crime.

(4) Such penalty assessments shall be paid by the clerk of the superior court to the county treasurer who shall monthly transmit the money as provided in RCW 10.82.070. Each county shall deposit fifty percent of the money it receives per case or cause of action under subsection (1) of this section and retains under RCW 10.82.070, not less than one and seventy-five one-hundredths percent of the remaining money it retains under RCW 10.82.070 and the money it retains under chapter 3.62 RCW, and all money it receives under subsection (7) of this section into a fund maintained exclusively for the support of comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. A program shall be considered "comprehensive" only after approval of the department upon application by the county prosecuting attorney. The department shall approve as comprehensive only programs which:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property. It is the intent of the legislature to make funds available only to programs which do not restrict services to victims or witnesses of a particular type or types of crime and that such funds supplement, not supplant, existing local funding levels;

(b) Are administered by the county prosecuting attorney either directly through the prosecuting attorney's office or by contract between the county and agencies providing services to victims of crime;

(c) Make a reasonable effort to inform the known victim or his or her surviving dependents of the existence of this chapter and the procedure for making application for benefits;

(d) Assist victims in the restitution and adjudication process; and

(e) Assist victims of violent crimes in the preparation and presentation of their claims to the department of labor and industries under this chapter.

Before a program in any county west of the Cascade mountains is submitted to the department for approval, it shall be submitted for review and comment to each city within the county with a population of more than one hundred fifty thousand. The department will consider if the county's proposed comprehensive plan meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county.

(5) Upon submission to the department of a letter of intent to adopt a comprehensive program, the prosecuting attorney shall retain the money deposited by the county under subsection (4) of this section until such time as the county prosecuting attorney has obtained approval of a program from the department. Approval of the comprehensive plan by the department must be obtained within one year of the date of the letter of intent to adopt a comprehensive program. The county prosecuting attorney shall not make any expenditures from the money deposited under subsection (4) of this section until approval of a comprehensive plan by the department. If a county prosecuting attorney has failed to obtain approval of a program from the department under subsection (4) of this section or failed to obtain approval of a comprehensive program within one year after submission of a letter of intent under this section, the county treasurer shall monthly transmit one hundred percent of the money deposited by the county under subsection (4) of this section to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

(6) County prosecuting attorneys are responsible to make every reasonable effort to insure that the penalty assessments of this chapter are imposed and collected.

(7) Every city and town shall transmit monthly one and seventy-five one-hundredths percent of all money, other than money received for parking infractions, retained under RCW 3.50.100 and 35.20.220 to the county treasurer for deposit as provided in subsection (4) of this section.

**Sec.**  RCW 10.82.070 and 2012 c 136 s 6 are each amended to read as follows:

(1) All sums of money derived from costs, fines, penalties, and forfeitures imposed or collected, in whole or in part, by a superior court for violation of orders of injunction, mandamus and other like writs, for contempt of court, or for breach of the penal laws shall be paid in cash by the person collecting the same, within twenty days after the collection, to the county treasurer of the county in which the same have accrued.

(2) Except as provided in RCW 9A.88.120 and 10.99.080, the county treasurer shall remit monthly thirty-two percent of the money received under this section except for certain costs to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act and shall deposit the remainder as provided by law. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state or county in the prosecution of the case, including the fees of defense counsel. Costs or assessments awarded to dedicated accounts, state or local, are not subject to this state allocation or to RCW 7.68.035.

(3) All fees, fines, forfeitures and penalties collected or assessed by a district court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. All fees, fines, forfeitures, and penalties collected or assessed by a superior court in cases on appeal from a lower court shall be remitted to the municipal or district court from which the cases were appealed.

**Sec.**  RCW 10.82.090 and 2015 c 265 s 23 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, financial obligations imposed in a judgment shall bear interest from the date of the judgment until payment, at the rate applicable to civil judgments. All nonrestitution interest retained by the court shall be split twenty-five percent to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the county current expense fund, and twenty-five percent to the county current expense fund to fund local courts.

(2) The court may, on motion by the offender, following the offender's release from total confinement, reduce or waive the interest on legal financial obligations levied as a result of a criminal conviction as follows:

(a) The court shall waive all interest on the portions of the legal financial obligations that are not restitution that accrued during the term of total confinement for the conviction giving rise to the financial obligations, provided the offender shows that the interest creates a hardship for the offender or his or her immediate family;

(b) The court may reduce interest on the restitution portion of the legal financial obligations only if the principal has been paid in full;

(c) The court may otherwise reduce or waive the interest on the portions of the legal financial obligations that are not restitution if the offender shows that he or she has personally made a good faith effort to pay and that the interest accrual is causing a significant hardship. For purposes of this section, "good faith effort" means that the offender has either (i) paid the principal amount in full; or (ii) made at least fifteen monthly payments within an eighteen-month period, excluding any payments mandatorily deducted by the department of corrections;

(d) For purposes of (a) through (c) of this subsection, the court may reduce or waive interest on legal financial obligations only as an incentive for the offender to meet his or her legal financial obligations. The court may grant the motion, establish a payment schedule, and retain jurisdiction over the offender for purposes of reviewing and revising the reduction or waiver of interest.

(3) This section only applies to adult offenders.

**Sec.**  RCW 10.105.010 and 2009 c 479 s 15 are each amended to read as follows:

(1) The following are subject to seizure and forfeiture and no property right exists in them: All personal property, including, but not limited to, any item, object, tool, substance, device, weapon, machine, vehicle of any kind, money, security, or negotiable instrument, which has been or was actually employed as an instrumentality in the commission of, or in aiding or abetting in the commission of any felony, or which was furnished or was intended to be furnished by any person in the commission of, as a result of, or as compensation for the commission of, any felony, or which was acquired in whole or in part with proceeds traceable to the commission of a felony. No property may be forfeited under this section until after there has been a superior court conviction of the owner of the property for the felony in connection with which the property was employed, furnished, or acquired.

A forfeiture of property encumbered by a bona fide security interest is subject to the interest of the secured party if at the time the security interest was created, the secured party neither had knowledge of nor consented to the commission of the felony.

(2) Personal property subject to forfeiture under this chapter may be seized by any law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure of personal property without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant;

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding;

(c) A law enforcement officer has probable cause to believe that the property is directly dangerous to health or safety; or

(d) The law enforcement officer has probable cause to believe that the property was used or is intended to be used in the commission of a felony.

(3) In the event of seizure pursuant to this section, proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. The notice of seizure may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure. Notice of seizure in the case of property subject to a security interest that has been perfected by filing a financing statement in accordance with chapter 62A.9A RCW, or a certificate of title shall be made by service upon the secured party or the secured party's assignee at the address shown on the financing statement or the certificate of title.

(4) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (1) of this section within forty-five days of the seizure, the item seized shall be deemed forfeited.

(5) If a person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of the seized property within forty-five days of the seizure, the law enforcement agency shall give the person or persons a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction. Removal may only be accomplished according to the rules of civil procedure. The person seeking removal of the matter must serve process against the state, county, political subdivision, or municipality that operates the seizing agency, and any other party of interest, in accordance with RCW 4.28.080 or 4.92.020, within forty-five days after the person seeking removal has notified the seizing law enforcement agency of the person's claim of ownership or right to possession. The court to which the matter is to be removed shall be the district court when the aggregate value of the property is within the jurisdictional limit set forth in RCW 3.66.020. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the property involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the property. The seizing law enforcement agency shall promptly return the property to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession of the property.

(6) When property is forfeited under this chapter, after satisfying any court-ordered victim restitution, the seizing law enforcement agency may:

(a) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the criminal law;

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public.

(7) By January 31st of each year, each seizing agency shall remit to the state treasurer an amount equal to ten percent of the net proceeds of any property forfeited during the preceding calendar year. Money remitted shall be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

(a) The net proceeds of forfeited property is the value of the forfeitable interest in the property after deducting the cost of satisfying any bona fide security interest to which the property is subject at the time of seizure; and in the case of sold property, after deducting the cost of sale, including reasonable fees or commissions paid to independent selling agents.

(b) The value of sold forfeited property is the sale price. The value of retained forfeited property is the fair market value of the property at the time of seizure, determined when possible by reference to an applicable commonly used index, such as the index used by the department of licensing for valuation of motor vehicles. A seizing agency may use, but need not use, an independent qualified appraiser to determine the value of retained property. If an appraiser is used, the value of the property appraised is net of the cost of the appraisal. The value of destroyed property and retained firearms or illegal property is zero.

(c) Retained property and net proceeds not required to be paid to the state treasurer, or otherwise required to be spent under this section, shall be retained by the seizing law enforcement agency exclusively for the expansion and improvement of law enforcement activity. Money retained under this section may not be used to supplant preexisting funding sources.

**Sec.**  RCW 35.20.220 and 2012 c 136 s 7 are each amended to read as follows:

(1) The chief clerk, under the supervision and direction of the court administrator of the municipal court, shall have the custody and care of the books, papers and records of the court. The chief clerk or a deputy shall be present during the session of the court and has the power to swear all witnesses and jurors, administer oaths and affidavits, and take acknowledgments. The chief clerk shall keep the records of the court and shall issue all process under his or her hand and the seal of the court. The chief clerk shall do and perform all things and have the same powers pertaining to the office as the clerks of the superior courts have in their office. He or she shall receive all fines, penalties, and fees of every kind and keep a full, accurate, and detailed account of the same. The chief clerk shall on each day pay into the city treasury all money received for the city during the day previous, with a detailed account of the same, and taking the treasurer's receipt therefor.

(2) Except as provided in RCW 9A.88.120 and 10.99.080, the city treasurer shall remit monthly thirty-two percent of the noninterest money received under this section, other than for parking infractions and certain costs to the state treasurer. "Certain costs" as used in this subsection, means those costs awarded to prevailing parties in civil actions under RCW 4.84.010 or 36.18.040, or those costs awarded against convicted defendants in criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other similar statutes if such costs are specifically designated as costs by the court and are awarded for the specific reimbursement of costs incurred by the state, county, city, or town in the prosecution of the case, including the fees of defense counsel. Money remitted under this subsection to the state treasurer shall be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

(3) The balance of the noninterest money received under this section shall be retained by the city and deposited as provided by law.

(4) Penalties, fines, bail forfeitures, fees, and costs may accrue interest at the rate of twelve percent per annum, upon assignment to a collection agency. Interest may accrue only while the case is in collection status.

(5) Interest retained by the court on penalties, fines, bail forfeitures, fees, and costs shall be split twenty-five percent to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act, twenty-five percent to the state treasurer for deposit in the judicial information system account as provided in RCW 2.68.020, twenty-five percent to the city general fund, and twenty-five percent to the city general fund to fund local courts.

**Sec.**  RCW 36.18.012 and 2009 c 479 s 20 and 2009 c 417 s 1 are each reenacted and amended to read as follows:

(1) Revenue collected under this section is subject to division with the state for deposit in the public safety enhancement account created in section 801 of this act.

(2) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a district court in the county of issuance, shall pay at the time of filing a fee of twenty dollars.

(3) The clerk shall collect a fee of twenty dollars for: Filing a document not related to or a part of a proceeding, civil or criminal, or a probate matter, required or permitted to be filed in the clerk's office for which no other charge is provided by law.

(4) If the defendant serves or files an answer to an unlawful detainer complaint under chapter 59.18 or 59.20 RCW, the plaintiff shall pay before proceeding with the unlawful detainer action one hundred twelve dollars.

(5) Any party filing a counterclaim, cross-claim, or third-party claim in an unlawful detainer action under chapter 59.18 or 59.20 RCW shall pay the equivalent to the total filing fee of an unlawful detainer action pursuant to RCW 36.18.020, including the fee for an unlawful detainer answer pursuant to subsection (4) of this section.

(6) For a restrictive covenant for filing a petition to strike discriminatory provisions in real estate under RCW 49.60.227 a fee of twenty dollars must be charged.

(7) A fee of twenty dollars must be charged for filing a will only, when no probate of the will is contemplated.

(8) A fee of twenty dollars must be charged for filing a petition, written agreement, or written memorandum in a nonjudicial probate dispute under RCW 11.96A.220, if it is filed within an existing case in the same court.

(9) A fee of thirty-five dollars must be charged for filing a petition regarding a common law lien under RCW 60.70.060.

(10) For the filing of a tax warrant for unpaid taxes or overpayment of benefits by any agency of the state of Washington, a fee of five dollars on or after July 22, 2001, and for the filing of such a tax warrant or overpayment of benefits on or after July 1, 2003, a fee of twenty dollars, of which forty-six percent of the first five dollars is directed to the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

**Sec.**  RCW 36.18.020 and 2015 c 265 s 28 are each amended to read as follows:

(1) Revenue collected under this section is subject to division with the state ((~~under RCW 36.18.025~~)) for deposit in the public safety enhancement account created in section 801 of this act and with the county or regional law library fund under RCW 27.24.070, except as provided in subsection (5) of this section.

(2) Clerks of superior courts shall collect the following fees for their official services:

(a) In addition to any other fee required by law, the party filing the first or initial document in any civil action, including, but not limited to an action for restitution, adoption, or change of name, and any party filing a counterclaim, cross-claim, or third-party claim in any such civil action, shall pay, at the time the document is filed, a fee of two hundred dollars except, in an unlawful detainer action under chapter 59.18 or 59.20 RCW for which the plaintiff shall pay a case initiating filing fee of forty-five dollars, or in proceedings filed under RCW 28A.225.030 alleging a violation of the compulsory attendance laws where the petitioner shall not pay a filing fee. The forty-five dollar filing fee under this subsection for an unlawful detainer action shall not include an order to show cause or any other order or judgment except a default order or default judgment in an unlawful detainer action.

(b) Any party, except a defendant in a criminal case, filing the first or initial document on an appeal from a court of limited jurisdiction or any party on any civil appeal, shall pay, when the document is filed, a fee of two hundred dollars.

(c) For filing of a petition for judicial review as required under RCW 34.05.514 a filing fee of two hundred dollars.

(d) For filing of a petition for unlawful harassment under RCW 10.14.040 a filing fee of fifty-three dollars.

(e) For filing the notice of debt due for the compensation of a crime victim under RCW 7.68.120(2)(a) a fee of two hundred dollars.

(f) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first document therein, a fee of two hundred dollars.

(g) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, or a petition objecting to a written agreement or memorandum as provided in RCW 11.96A.220, there shall be paid a fee of two hundred dollars.

(h) Upon conviction or plea of guilty, upon failure to prosecute an appeal from a court of limited jurisdiction as provided by law, or upon affirmance of a conviction by a court of limited jurisdiction, an adult defendant in a criminal case shall be liable for a fee of two hundred dollars.

(i) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972. However, no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(3) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.33.080 or for forms and instructional brochures provided under RCW 26.50.030.

(4) No fee shall be collected when an abstract of judgment is filed by the county clerk of another county for the purposes of collection of legal financial obligations.

(5)(a) Until July 1, 2017, in addition to the fees required to be collected under this section, clerks of the superior courts must collect surcharges as provided in this subsection (5) of which seventy-five percent must be remitted to the state treasurer for deposit in the judicial stabilization trust account and twenty-five percent must be retained by the county.

(b) On filing fees required to be collected under subsection (2)(b) of this section, a surcharge of thirty dollars must be collected.

(c) On all filing fees required to be collected under this section, except for fees required under subsection (2)(b), (d), and (h) of this section, a surcharge of forty dollars must be collected.

**Sec.**  RCW 36.18.025 and 2009 c 479 s 22 are each amended to read as follows:

Forty-six percent of the money received from filing fees paid pursuant to RCW 36.18.020, except those collected for the filing of warrants for unpaid taxes or overpayments by state agencies as outlined in RCW 36.18.012(10), shall be transmitted by the county treasurer each month to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

**Sec.**  RCW 41.26.800 and 2008 c 99 s 2 are each amended to read as follows:

The local public safety enhancement account is created in the state treasury. Moneys in the account may be spent only after appropriation. All receipts from RCW 41.26.802 must be deposited into the account. Expenditures from the account may be used as follows:

(1) Following appropriation, fifty percent of the money in the account shall be transferred to the law enforcement officers' and firefighters' retirement system benefits improvement account established in RCW 41.26.805.

(2) Following appropriation, the balance shall be distributed by the state treasurer to all jurisdictions with law enforcement officers' and firefighters' plan 2 members. Each year, the department of retirement systems will determine each jurisdictions' proportionate share of funds based on the number of plan 2 members each jurisdiction has on June 1st of the prior year divided by the total number of plan 2 members in the system. The department of retirement systems shall provide the distribution allocation to the state treasurer. Distributions by the state treasurer shall be made annually each January 1st with one-half of the appropriation being distributed in the first year of the appropriation and any remainder the following year. If an appropriation is made for a single fiscal year, the entire appropriation shall be distributed the following January 1st. Jurisdictions that contract with other eligible jurisdictions for law enforcement services or fire protection services must agree on the distribution of funds between the contracting parties and must inform the department of retirement systems as to how the distribution is to be made. Distributions will continue to be made under the terms of the agreement until the department of retirement systems is notified by the eligible jurisdiction of any agreement revisions. If there is no agreement within six months of the distribution date, the moneys lapse to the state treasury. Moneys distributed from the balance of the local public safety enhancement account may be used for the following purposes: (a) Criminal justice, including those where an ancillary benefit to the civil justice occurs, and includes domestic violence programs; (b) information and assistance to parents and families dealing with at‑risk or runaway youth; or (c) public safety. Money distributed from the account shall not supplant existing funds used for these purposes. For purposes of this subsection, "existing funds" means the actual operating expenditures for the calendar year prior to the first distribution from the account. Actual operating expenditures excludes lost federal funds, lost or expired state grants or loans, extraordinary events not likely to reoccur, change in contract provisions beyond the control of the jurisdiction receiving the services, and major capital expenditures.

**Sec.**  RCW 43.08.250 and 2009 c 479 s 26 are each amended to read as follows:

(1) The money received by the state treasurer from fees, fines, forfeitures, penalties, reimbursements or assessments by any court organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

(2) The money received by the state treasurer from the increase in fees imposed by sections 9, 10, 12, 13, 14, 17, and 19, chapter 457, Laws of 2005 shall be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act. It is the intent of the legislature that fifty percent of such money be appropriated to the administrator for the courts for the purposes of contributing to district court judges' salaries and to eligible elected municipal court judges' salaries. It is further the intent of the legislature that the balance of such moneys be used to fund criminal indigent defense assistance and enhancement at the trial court level, representation of parents in dependency and termination proceedings, and civil legal representation of indigent persons.

**Sec.**  RCW 43.17.150 and 2009 c 479 s 27 are each amended to read as follows:

(1) Each state agency is authorized to receive property or money made available by the attorney general of the United States under section 881(e) of Title 21 of the United States Code and, except as required to the contrary under subsection (2) of this section, to use the property or spend the money for such purposes as are permitted under both federal law and the state law specifying the powers and duties of the agency.

(2) Unless precluded by federal law, all funds received by a state agency under section 881(e) of Title 21 of the United States Code shall be promptly deposited into the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act.

**Sec.**  RCW 46.63.110 and 2012 c 82 s 1 are each amended to read as follows:

(1) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed two hundred and fifty dollars for each offense unless authorized by this chapter or title.

(2) The monetary penalty for a violation of (a) RCW 46.55.105(2) is two hundred fifty dollars for each offense; (b) RCW 46.61.210(1) is five hundred dollars for each offense. No penalty assessed under this subsection (2) may be reduced.

(3) The supreme court shall prescribe by rule a schedule of monetary penalties for designated traffic infractions. This rule shall also specify the conditions under which local courts may exercise discretion in assessing fines and penalties for traffic infractions. The legislature respectfully requests the supreme court to adjust this schedule every two years for inflation.

(4) There shall be a penalty of twenty-five dollars for failure to respond to a notice of traffic infraction except where the infraction relates to parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. A local legislative body may set a monetary penalty not to exceed twenty-five dollars for failure to respond to a notice of traffic infraction relating to parking as defined by local law, ordinance, regulation, or resolution. The local court, whether a municipal, police, or district court, shall impose the monetary penalty set by the local legislative body.

(5) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(6) Whenever a monetary penalty, fee, cost, assessment, or other monetary obligation is imposed by a court under this chapter, it is immediately payable and is enforceable as a civil judgment under Title 6 RCW. If the court determines, in its discretion, that a person is not able to pay a monetary obligation in full, and not more than one year has passed since the later of July 1, 2005, or the date the monetary obligation initially became due and payable, the court shall enter into a payment plan with the person, unless the person has previously been granted a payment plan with respect to the same monetary obligation, or unless the person is in noncompliance of any existing or prior payment plan, in which case the court may, at its discretion, implement a payment plan. If the court has notified the department that the person has failed to pay or comply and the person has subsequently entered into a payment plan and made an initial payment, the court shall notify the department that the infraction has been adjudicated, and the department shall rescind any suspension of the person's driver's license or driver's privilege based on failure to respond to that infraction. "Payment plan," as used in this section, means a plan that requires reasonable payments based on the financial ability of the person to pay. The person may voluntarily pay an amount at any time in addition to the payments required under the payment plan.

(a) If a payment required to be made under the payment plan is delinquent or the person fails to complete a community restitution program on or before the time established under the payment plan, unless the court determines good cause therefor and adjusts the payment plan or the community restitution plan accordingly, the court may refer the unpaid monetary penalty, fee, cost, assessment, or other monetary obligation for civil enforcement until all monetary obligations, including those imposed under subsections (3) and (4) of this section, have been paid, and court authorized community restitution has been completed, or until the court has entered into a new time payment or community restitution agreement with the person. For those infractions subject to suspension under RCW 46.20.289, the court shall notify the department of the person's failure to meet the conditions of the plan, and the department shall suspend the person's driver's license or driving privileges.

(b) If a person has not entered into a payment plan with the court and has not paid the monetary obligation in full on or before the time established for payment, the court may refer the unpaid monetary penalty, fee, cost, assessment, or other monetary obligation to a collections agency until all monetary obligations have been paid, including those imposed under subsections (3) and (4) of this section, or until the person has entered into a payment plan under this section. For those infractions subject to suspension under RCW 46.20.289, the court shall notify the department of the person's delinquency, and the department shall suspend the person's driver's license or driving privileges.

(c) If the payment plan is to be administered by the court, the court may assess the person a reasonable administrative fee to be wholly retained by the city or county with jurisdiction. The administrative fee shall not exceed ten dollars per infraction or twenty-five dollars per payment plan, whichever is less.

(d) Nothing in this section precludes a court from contracting with outside entities to administer its payment plan system. When outside entities are used for the administration of a payment plan, the court may assess the person a reasonable fee for such administrative services, which fee may be calculated on a periodic, percentage, or other basis.

(e) If a court authorized community restitution program for offenders is available in the jurisdiction, the court may allow conversion of all or part of the monetary obligations due under this section to court authorized community restitution in lieu of time payments if the person is unable to make reasonable time payments.

(7) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction shall be assessed:

(a) A fee of five dollars per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the emergency medical services and trauma care system trust account under RCW 70.168.040;

(b) A fee of ten dollars per infraction. Under no circumstances shall this fee be reduced or waived. Revenue from this fee shall be forwarded to the state treasurer for deposit in the Washington auto theft prevention authority account; and

(c) A fee of two dollars per infraction. Revenue from this fee shall be forwarded to the state treasurer for deposit in the traumatic brain injury account established in RCW 74.31.060.

(8)(a) In addition to any other penalties imposed under this section and not subject to the limitation of subsection (1) of this section, a person found to have committed a traffic infraction other than of RCW 46.61.527 or 46.61.212 shall be assessed an additional penalty of twenty dollars. The court may not reduce, waive, or suspend the additional penalty unless the court finds the offender to be indigent. If a court authorized community restitution program for offenders is available in the jurisdiction, the court shall allow offenders to offset all or a part of the penalty due under this subsection (8) by participation in the court authorized community restitution program.

(b) Eight dollars and fifty cents of the additional penalty under (a) of this subsection shall be remitted to the state treasurer. The remaining revenue from the additional penalty must be remitted under chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this subsection to the state treasurer must be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act. The balance of the revenue received by the county or city treasurer under this subsection must be deposited into the county or city current expense fund. ((~~Moneys retained by the city or county under this subsection shall constitute reimbursement for any liabilities under RCW 43.135.060.~~))

(9) If a legal proceeding, such as garnishment, has commenced to collect any delinquent amount owed by the person for any penalty imposed by the court under this section, the court may, at its discretion, enter into a payment plan.

(10) The monetary penalty for violating RCW 46.37.395 is: (a) Two hundred fifty dollars for the first violation; (b) five hundred dollars for the second violation; and (c) seven hundred fifty dollars for each violation thereafter.

**Sec.**  RCW 46.64.055 and 2009 c 479 s 40 are each amended to read as follows:

(1) In addition to any other penalties imposed for conviction of a violation of this title that is a misdemeanor, gross misdemeanor, or felony, the court shall impose an additional penalty of fifty dollars. The court may not reduce, waive, or suspend the additional penalty unless the court finds the offender to be indigent. If a community restitution program for offenders is available in the jurisdiction, the court shall allow offenders to offset all or a part of the penalty due under this section by participation in the community restitution program.

(2) Revenue from the additional penalty must be remitted under chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted under this section to the state treasurer must be deposited in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act. The balance of the revenue received by the county or city treasurer under this section must be deposited into the county or city current expense fund. ((~~Moneys retained by the city or county under this subsection shall constitute reimbursement for any liabilities under RCW 43.135.060.~~))

**Sec.**  RCW 77.12.201 and 2016 sp.s. c 36 s 947 are each amended to read as follows:

The legislative authority of a county may elect, by giving written notice to the director and the treasurer prior to January 1st of any year, to obtain for the following year an amount in lieu of real property taxes on game lands as provided in RCW 77.12.203. Upon the election, the county shall keep a record of all fines, forfeitures, reimbursements, and costs assessed and collected, in whole or in part, under this title for violations of law or rules adopted pursuant to this title, with the exception of the 2011‑2013, 2013-2015((~~[,]~~)), and 2015-2017 fiscal biennia, and shall monthly remit an amount equal to the amount collected to the state treasurer for deposit in the ((~~state general fund~~)) public safety enhancement account created in section 801 of this act. The election shall continue until the department is notified differently prior to January 1st of any year.

**Sec.**  RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and 2016 c 112 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public safety enhancement account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

**--- END ---**