S-1857.2

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**SECOND SUBSTITUTE SENATE BILL 5342**

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

**By** Senate Ways & Means (originally sponsored by Senators King, Takko, Pearson, and Pedersen; by request of Parks and Recreation Commission)

AN ACT Relating to the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements; and amending RCW 7.84.100.

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

**Sec.**  RCW 7.84.100 and 2012 c 262 s 2 are each amended to read as follows:

(1) A person found to have committed an infraction shall be assessed a monetary penalty. No penalty may exceed five hundred dollars for each offense unless specifically authorized by statute.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated infractions. The legislature requests the supreme court to adjust this schedule every two years for inflation. The maximum penalty imposed by the schedule shall be five hundred dollars per infraction and the minimum penalty imposed by the schedule shall be ten dollars per infraction. This schedule may be periodically reviewed by the legislature and is subject to its revision.

(3) Whenever a monetary penalty is imposed by a court under this chapter, it is immediately payable. If the person is unable to pay at that time, the court may, in its discretion, grant an extension of the period in which the penalty may be paid.

(4)(a) For counties with a population of less than one hundred thousand on the effective date of this section, the county treasurer shall remit seventy-five percent of the money received under RCW 79A.80.080(5) to the state treasurer. In all other counties, the county treasurer shall remit ((~~the~~)) all money received under RCW 79A.80.080(5) to the state treasurer.

(b) Money remitted under this subsection to the state treasurer must be deposited in the recreation access pass account established under RCW 79A.80.090. The balance of the noninterest money received by the county treasurer must be deposited in the county current expense fund and used to support court-related functions.

(c) An eligible county under (a) of this subsection may not retain any money received under RCW 79A.80.080(5) in the year following any year in which the rate of discover pass infractions dismissed in that county exceeds twelve percent.

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