

# HOUSE BILL REPORT

## SHB 1186

---

*As Passed House  
January 28, 1992*

**Title:** An act relating to uniform criminal penalties.

**Brief Description:** Requiring that criminal penalties set by cities and counties be the same as those set in state law.

**Sponsor(s):** By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Ludwig, Paris, Wineberry, Scott and Riley).

**Brief History:**

Reported by House Committee on:  
Judiciary, January 29, 1991, DPS;  
Passed House, March 6, 1991, 97-0;  
Passed House, January 28, 1992, 95-0.

---

**HOUSE COMMITTEE ON  
JUDICIARY**

**Majority Report:** *That Substitute House Bill No. 1186 be substituted therefore, and the substitute bill do pass.*  
Signed by 16 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

**Staff:** Bill Perry (786-7123).

**Background:** Penalties imposed upon defendants in district court may vary depending on whether the defendant was cited for a violation of a state statute or a municipal ordinance. Defendants committing similar offenses may receive more or less severe penalties, depending on the origin of the laws under which they were cited.

**Summary of Bill:** A penalty established by a city, town, or county for an act constituting a crime under a state statute cannot be less than the penalty prescribed by state statute.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect July 1, 1992.

**Testimony For:** It is unfair for the penalty for a crime to vary based on which jurisdiction charges are brought in. Sometimes successive defendants in the same court may be subject to different penalties for the same crime.

**Testimony Against:** Local communities ought to be free to set penalties for themselves. The disparities in sentences actually given are not that large.

**Witnesses:** Judge Robert McBeth, Washington State Magistrates Association (in favor of bill); Kathleen Collins, Association of Washington Cities (opposes).