

HOUSE BILL REPORT

HB 1186

*As Reported By House Committee on:
Judiciary*

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): Representatives Appelwick, Ludwig, Paris, Wineberry, Scott and Riley.

Brief History:

Reported by House Committee on:
Judiciary, January 29, 1991, DPS.

**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 Substitute 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.

Substitute Bill Compared to Original Bill: The substitute bill delays the effective date of the act until July 1, 1992.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: 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).