

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2655

52nd Legislature
1992 Regular Session

Passed by the House February 17, 1992
Yeas 98 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 5, 1992
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 2655 as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2655

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Haugen, Horn and Wang; by request of Task Force on City/County Finances

Read first time 01/23/92. Referred to Committee on Local Government.

1 AN ACT Relating to municipal criminal justice account distributions
2 based on city crime rates; reenacting and amending RCW 82.14.320; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 82.14.320 and 1991 sp.s. c 26 s 1 and 1991 sp.s. c 13
6 s 30 are each reenacted and amended to read as follows:

7 (1) The municipal criminal justice assistance account is created in
8 the state treasury. The account shall consist of all motor vehicle
9 excise tax receipts deposited into the account under chapter 82.44 RCW.

10 (2) No city may receive a distribution under this section from the
11 municipal criminal justice assistance account unless:

12 (a) The city has a crime rate in excess of one hundred twenty-five
13 percent of the state-wide average as calculated in the most recent

1 annual report on crime in Washington state as published by the
2 Washington association of sheriffs and police chiefs;

3 (b) The city has levied the tax authorized in RCW 82.14.030(2) at
4 the maximum rate or the tax authorized in RCW 82.46.010(2) at the
5 maximum rate; and

6 (c) The city has a per capita yield from the tax imposed under RCW
7 82.14.030(1) at the maximum rate of less than one hundred fifty percent
8 of the state-wide average per capita yield for all cities from such
9 local sales and use tax.

10 (3) The moneys deposited in the municipal criminal justice
11 assistance account for distribution under this section shall be
12 distributed at such times as distributions are made under RCW
13 82.44.150. The distributions shall be made as follows:

14 (a) Unless reduced by this subsection, thirty percent of the moneys
15 shall be distributed ratably based on population as last determined by
16 the office of financial management to those cities eligible under
17 subsection (2) of this section that have a crime rate determined under
18 subsection (2)(a) of this section which is greater than ~~((two times))~~
19 one hundred seventy-five percent of the state-wide average crime rate.
20 No city may receive more than fifty percent of any moneys distributed
21 under this subsection (a) but, if a city distribution is reduced as a
22 result of exceeding the fifty percent limitation, the amount not
23 distributed shall be distributed under (b) of this subsection.

24 (b) The remainder of the moneys, including any moneys not
25 distributed in subsection (2)(a) of this section, shall be distributed
26 to all cities eligible under subsection (2) of this section ratably
27 based on population as last determined by the office of financial
28 management.

29 (4) No city may receive more than thirty percent of all moneys
30 distributed under subsection (3) of this section.

1 (5) Moneys distributed under this section shall be expended
2 exclusively for criminal justice purposes and shall not be used to
3 replace or supplant existing funding. Criminal justice purposes are
4 defined as activities that substantially assist the criminal justice
5 system, which may include circumstances where ancillary benefit to the
6 civil justice system occurs. Existing funding for purposes of this
7 subsection is defined as calendar year 1989 actual operating
8 expenditures for criminal justice purposes. Calendar year 1989 actual
9 operating expenditures for criminal justice purposes exclude the
10 following: Expenditures for extraordinary events not likely to
11 reoccur, changes in contract provisions for criminal justice services,
12 beyond the control of the local jurisdiction receiving the services,
13 and major nonrecurring capital expenditures.

14 (6) This section expires January 1, 1994.

15 NEW SECTION. **Sec. 2.** If any provision of this act or its
16 application to any person or circumstance is held invalid, the
17 remainder of the act or the application of the provision to other
18 persons or circumstances is not affected.

19 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and shall take
22 effect immediately.