

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5183

Chapter 25, Laws of 1997

55th Legislature
1997 Regular Session

JURISDICTION OVER MUNICIPAL COURT DEFENDANTS INCARCERATED OUTSIDE
OF CITY LIMITS

EFFECTIVE DATE: 4/15/97

Passed by the Senate March 7, 1997
YEAS 46 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 8, 1997
YEAS 95 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 15, 1997

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5183** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

Secretary

FILED

April 15, 1997 - 5:43 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5183

Passed Legislature - 1997 Regular Session

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Roach, Fairley and Winsley)

Read first time 02/06/97.

1 AN ACT Relating to a municipal court defendant incarcerated at a
2 jail facility in the county but outside the city limits; amending RCW
3 35.20.100; and declaring an emergency.

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

5 **Sec. 1.** RCW 35.20.100 and 1984 c 258 s 71 are each amended to read
6 as follows:

7 There shall be three departments of the municipal court, which
8 shall be designated as Department Nos. 1, 2 and 3(~~(:—PROVIDED, That)~~).
9 However, when the administration of justice and the accomplishment of
10 the work of the court make additional departments necessary, the
11 legislative body of the city may create additional departments as they
12 are needed. The departments shall be established in such places as may
13 be provided by the legislative body of the city, and each department
14 shall be presided over by a municipal judge. However, notwithstanding
15 the priority of action rule, for a defendant incarcerated at a jail
16 facility outside the city limits but within the county in which the
17 city is located, the city may, pursuant to an interlocal agreement
18 under chapter 39.34 RCW, contract with the county to transfer
19 jurisdiction and venue over the defendant to a district court and to

1 provide all judicial services at the district court as would be
2 provided by a department of the municipal court. The judges shall
3 select, by majority vote, one of their number to act as presiding judge
4 of the municipal court for a term of one year, and he or she shall be
5 responsible for administration of the court and assignment of calendars
6 to all departments. A change of venue from one department of the
7 municipal court to another department shall be allowed in accordance
8 with the provisions of RCW 3.66.090 in all civil and criminal
9 proceedings. The city shall assume the costs of the elections of the
10 municipal judges in accordance with the provisions of RCW 29.13.045.

11 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

Passed the Senate March 7, 1997.

Passed the House April 8, 1997.

Approved by the Governor April 15, 1997.

Filed in Office of Secretary of State April 15, 1997.