

2598-S2

Sponsor(s): House Committee on Appropriations (originally sponsored by Representatives O'Brien, Morell, Conway, Kagi and Kirby; by request of Jt Select Comm on the Equitable Distrib of Secure Community Transition Facil)

Brief Description: Implementing the recommendations of the joint select committee on the equitable distribution of secure community transition facilities.

HB 2598-S2 - DIGEST

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares that the purpose of this act is to enable the legislature to act upon the recommendations of the joint select committee on the equitable distribution of secure community transition facilities established in section 225, chapter 12, Laws of 2001 2nd sp. sess.

Provides that no person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess.

Requires that law enforcement shall respond to a call regarding a resident of a secure community transition facility as a high priority call.

Provides that no law enforcement officer responding reasonably and in good faith to a call regarding a resident of a secure community transition facility shall be held liable nor shall the city or county employing the officer be held liable, in any cause of action for civil damages based on the acts of the resident or the actions of the officer during the response.

Provides that, after October 1, 2002, notwithstanding RCW 36.70A.103 or any other law, this section preempts and supersedes local plans, development regulations, permitting requirements, inspection requirements, chapters 43.21C, 77.55, and 90.58 RCW, and all other laws as necessary to enable the department to site, construct, renovate, occupy, and operate secure community transition facilities within the borders of the following: (1) The four most populous counties in the state except for the county containing the secure community transition facility authorized under RCW 71.09.250(1), if the department determines that the county has not met the requirements of RCW 36.70A.200 with respect to secure community transition facilities; and

(2) Any city located within a county listed in (a) of this subsection that the department determines has not met the requirements of RCW 36.70A.200 with respect to secure community transition facilities.

Provides that, at the request of the local government of the city or county in which a secure community transition facility is initially sited after January 1, 2002, the department shall enter into a long-term contract memorializing the agreements between the state and the city or county for the operation of the facility.

Provides that, subject to funds appropriated by the legislature, the department may enter into negotiation for a mitigation agreement with: (a) The county and/or city in which a secure community transition facility sited after January 1, 2002, is located;

(b) Each community in which the persons from those facilities will reside or regularly spend time, pursuant to court orders, for regular work or education, or to receive social services, or through which the person or persons will regularly be transported to reach other communities; and

(c) Educational institutions in the communities.