
SENATE BILL 5782

State of Washington

61st Legislature

2009 Regular Session

By Senators Marr and Brown

Read first time 02/02/09. Referred to Committee on Judiciary.

1 AN ACT Relating to services provided by hosting jurisdictions; and
2 amending RCW 3.50.003, 3.50.020, 3.50.125, and 3.50.815.

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

4 **Sec. 1.** RCW 3.50.003 and 2008 c 227 s 3 are each amended to read
5 as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "City" means an incorporated city or town.

9 (2) "Contracting city" means any city that contracts with a hosting
10 jurisdiction for the delivery of either judicial services or judicial
11 support services, or both.

12 (3) "Hosting jurisdiction" means a county or city designated in an
13 interlocal agreement as receiving compensation for providing either
14 judicial services or judicial support services, or both to a
15 contracting city.

16 (4) "Judicial services" means the service of a judge, judge pro
17 tem, or court commissioner.

18 (5) "Judicial support services" means the services of court clerks,

1 bailiffs, court administrators, probation positions, or other judicial
2 administrative support personnel as may be deemed necessary by a
3 contracting city for the operation of a municipal court.

4 (6) "Mayor" means the mayor, city manager, or other chief
5 administrative officer of the city.

6 **Sec. 2.** RCW 3.50.020 and 2008 c 227 s 5 are each amended to read
7 as follows:

8 The municipal court shall have (~~exclusive~~) original jurisdiction
9 over traffic infractions arising under city ordinances and
10 (~~exclusive~~) original criminal jurisdiction of all violations of city
11 ordinances duly adopted by the city and shall have original
12 jurisdiction of all other actions brought to enforce or recover license
13 penalties or forfeitures declared or given by such ordinances or by
14 state statutes. A hosting jurisdiction shall have (~~exclusive~~)
15 concurrent original criminal and other jurisdiction as described in
16 this section for all matters (~~filed by~~) subject to a contract for
17 judicial services between the hosting jurisdiction and a contracting
18 city. The municipal court shall also have the jurisdiction as
19 conferred by statute. The municipal court is empowered to forfeit cash
20 bail or bail bonds and issue execution thereon; and in general to hear
21 and determine all causes, civil or criminal, including traffic
22 infractions, arising under such ordinances and to pronounce judgment in
23 accordance therewith. A municipal court participating in the program
24 established by the administrative office of the courts pursuant to RCW
25 2.56.160 shall have jurisdiction to take recognizance, approve bail,
26 and arraign defendants held within its jurisdiction on warrants issued
27 by any court of limited jurisdiction participating in the program.

28 **Sec. 3.** RCW 3.50.125 and 1984 c 258 s 122 are each amended to read
29 as follows:

30 A transfer of a case from the municipal court to either another
31 municipal judge of the same city, a judge from a hosting jurisdiction
32 providing services to a contracting city under a contract for judicial
33 services, or to a judge pro tempore appointed in the manner prescribed
34 by this chapter shall be allowed in accordance with RCW 3.66.090 in all
35 civil and criminal proceedings.

1 **Sec. 4.** RCW 3.50.815 and 2008 c 227 s 4 are each amended to read
2 as follows:

3 (1) A city may meet any or all of the requirements of RCW 39.34.180
4 by entering into an interlocal agreement with the county in which the
5 city is located or with one or more cities.

6 (2) The provisions of RCW 3.50.040, 3.50.050, 3.50.055, and
7 3.50.057 do not apply to any judicial position of a contracting city
8 filled through an interlocal contract for judicial services with a
9 hosting jurisdiction.

10 (3) Nothing in this chapter may be construed to prohibit a city
11 from filling one or more of its judicial positions as permitted by RCW
12 3.50.040, 3.50.050, or 3.50.070 and contemporaneously filling any or
13 all remaining judicial positions through an interlocal contract for
14 judicial services with a hosting jurisdiction.

15 (4) Nothing in this chapter may be construed to prohibit a city
16 from internally providing some of its own judicial support services and
17 contemporaneously obtaining additional judicial support services
18 through an interlocal contract for judicial support services with a
19 hosting jurisdiction.

--- END ---