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SENATE BILL 6297

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State of Washington

64th Legislature

2016 Regular Session

By Senators King and Takko

Read first time 01/14/16. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to the disposition of penalties paid for failure  
2 to comply with recreational site or lands pass/permit requirements;  
3 amending RCW 7.84.100; and reenacting and amending RCW 3.62.020.

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

5 **Sec. 1.** RCW 3.62.020 and 2012 c 262 s 1, 2012 c 136 s 4, and  
6 2012 c 134 s 6 are each reenacted and amended to read as follows:

7 (1) Except as provided in subsection (4) of this section, all  
8 costs, fees, fines, forfeitures and penalties assessed and collected  
9 in whole or in part by district courts, except costs, fines,  
10 forfeitures and penalties assessed and collected, in whole or in  
11 part, because of the violation of city ordinances, shall be remitted  
12 by the clerk of the district court to the county treasurer at least  
13 monthly, together with a financial statement as required by the state  
14 auditor, noting the information necessary for crediting of such funds  
15 as required by law.

16 (2) Except as provided in RCW 9A.88.120, 10.99.080,  
17 (~~7.84.100(4)~~) and this section, the county treasurer shall remit  
18 thirty-two percent of the noninterest money received under subsection  
19 (1) of this section except certain costs to the state treasurer.  
20 "Certain costs" as used in this subsection, means those costs awarded  
21 to prevailing parties in civil actions under RCW 4.84.010 or

1 36.18.040, or those costs awarded against convicted defendants in  
2 criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or  
3 other similar statutes if such costs are specifically designated as  
4 costs by the court and are awarded for the specific reimbursement of  
5 costs incurred by the state or county in the prosecution of the case,  
6 including the fees of defense counsel. With the exception of funds to  
7 be transferred to the judicial stabilization trust account under RCW  
8 3.62.060(2), and the money remitted under RCW 7.84.100(4) to the  
9 state treasurer to be deposited in the recreation access pass account  
10 established under RCW 79A.80.090 money remitted under this subsection  
11 to the state treasurer shall be deposited in the state general fund.

12 (3) The balance of the noninterest money received by the county  
13 treasurer under subsection (1) of this section shall be deposited in  
14 the county current expense fund. Funds deposited under this  
15 subsection that are attributable to the county's portion of a  
16 surcharge imposed under RCW 3.62.060(2) must be used to support local  
17 trial court and court-related functions.

18 (4) Except as provided in RCW 7.84.100(4) and this section, all  
19 money collected for county parking infractions shall be remitted by  
20 the clerk of the district court at least monthly, with the  
21 information required under subsection (1) of this section, to the  
22 county treasurer for deposit in the county current expense fund.

23 (5) Penalties, fines, bail forfeitures, fees, and costs may  
24 accrue interest at the rate of twelve percent per annum, upon  
25 assignment to a collection agency. Interest may accrue only while the  
26 case is in collection status.

27 (6) Interest retained by the court on penalties, fines, bail  
28 forfeitures, fees, and costs shall be split twenty-five percent to  
29 the state treasurer for deposit in the state general fund, twenty-  
30 five percent to the state treasurer for deposit in the judicial  
31 information system account as provided in RCW 2.68.020, twenty-five  
32 percent to the county current expense fund, and twenty-five percent  
33 to the county current expense fund to fund local courts.

34 **Sec. 2.** RCW 7.84.100 and 2012 c 262 s 2 are each amended to read  
35 as follows:

36 (1) A person found to have committed an infraction shall be  
37 assessed a monetary penalty. No penalty may exceed five hundred  
38 dollars for each offense unless specifically authorized by statute.

1           (2) The supreme court may prescribe by rule a schedule of  
2 monetary penalties for designated infractions. The legislature  
3 requests the supreme court to adjust this schedule every two years  
4 for inflation. The maximum penalty imposed by the schedule shall be  
5 five hundred dollars per infraction and the minimum penalty imposed  
6 by the schedule shall be ten dollars per infraction. This schedule  
7 may be periodically reviewed by the legislature and is subject to its  
8 revision.

9           (3) Whenever a monetary penalty is imposed by a court under this  
10 chapter, it is immediately payable. If the person is unable to pay at  
11 that time, the court may, in its discretion, grant an extension of  
12 the period in which the penalty may be paid.

13           (4) The county treasurer shall remit the money received under RCW  
14 79A.80.080(5) (~~to the state treasurer~~) as provided by RCW 3.62.020  
15 (2) and (3). Money remitted under this subsection to the state  
16 treasurer must be deposited in the recreation access pass account  
17 established under RCW 79A.80.090.

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