
ENGROSSED SUBSTITUTE SENATE BILL 6211

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Haugen, Smith, Hale, McCaslin and Hochstatter)

Read first time 02/01/96.

1 AN ACT Relating to criminal justice costs; adding a new section to
2 chapter 39.34 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.34 RCW
5 to read as follows:

6 (1) Each county, city, and town is responsible for the prosecution,
7 adjudication, sentencing, and incarceration of misdemeanor and gross
8 misdemeanor offenses committed by adults in their respective
9 jurisdictions, and referred from their respective law enforcement
10 agencies, whether filed under state law or city ordinance, and must
11 carry out these responsibilities through the use of their own courts,
12 staff, and facilities, or by entering into contracts or interlocal
13 agreements under this chapter to provide these services. Nothing in
14 this section is intended to alter the statutory responsibilities of
15 each county for the prosecution, adjudication, sentencing, and
16 incarceration for not more than one year of felony offenders, nor shall
17 this section apply to any offense initially filed by the prosecuting
18 attorney as a felony offense or an attempt to commit a felony offense.

1 (2) The following principles must be followed in negotiating
2 interlocal agreements or contracts: Cities and counties must consider
3 (a) anticipated costs of services; and (b) anticipated and potential
4 revenues to fund the services, including fines and fees, criminal
5 justice funding, and state-authorized sales tax funding levied for
6 criminal justice purposes.

7 (3) If an agreement as to the levels of compensation within an
8 interlocal agreement or contract for gross misdemeanor and misdemeanor
9 services cannot be reached between a city and county, then either party
10 may invoke binding arbitration on the compensation issued by notice to
11 the other party. In the case of establishing initial compensation, the
12 notice shall request arbitration within thirty days. In the case of
13 nonrenewal of an existing contract or interlocal agreement, the notice
14 must be given one hundred twenty days prior to the expiration of the
15 existing contract or agreement and the existing contract or agreement
16 remains in effect until a new agreement is reached or until an
17 arbitration award on the matter of fees is made. The city and county
18 each select one arbitrator, and the initial two arbitrators pick a
19 third arbitrator.

20 NEW SECTION. **Sec. 2.** This act shall take effect January 1, 1997.

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