

SENATE BILL REPORT

SB 5461

As Passed Senate, March 15, 2005

Title: An act relating to costs of incarceration.

Brief Description: Changing limits on costs of incarceration charged to offenders.

Sponsors: Senator Fairley.

Brief History:

Committee Activity: Human Services & Corrections: 1/31/05 [DP].

Passed Senate: 3/15/05, 46-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe, Stevens and Thibaudeau.

Staff: Fara Daun (786-7459)

Background: Under current law, felony offenders can be ordered to pay for the cost of incarceration at a rate of \$50 per day if the court determines that the offender has the means to pay. In Department of Corrections facilities, cost of incarceration is deducted from earnings from prison work and from any outside funds the offender receives. Misdemeanor offenders can be required to pay up to \$50 per day for costs of incarceration.

Summary of Bill: If the court determines that an offender has the means to pay, the court may order the offender to pay costs of incarceration of \$50 per day if confined in a prison or the actual cost of incarceration up to \$100 per day if confined in a county jail. This change applies to both felony and misdemeanor offenders confined in a county jail.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This came at the request of a city in the sponsor's district that must pay \$70 per day to rent a jail bed in another jurisdiction but can only recover \$50 per day from those offenders that the court orders to pay costs of incarceration. This would allow them to collect actual costs up to the limit.

Testimony Against: None.

Who Testified: PRO: Senator Darlene Fairley, prime sponsor.