

FINAL BILL REPORT

HB 2655

Synopsis as Enacted

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Brief Description: Modifying municipal criminal justice account distribution.

By Representatives Haugen, Horn and Wang; by request of Task Force on City/County Finances.

House Committee on Local Government
Senate Committee on Ways & Means

Background: A portion of the motor vehicle excise tax is distributed to cities for local criminal justice purposes as part of the Criminal Justice Assistance Act, adopted in June 1990. The Legislature established limitations and priorities for distributing funds to high crime cities. Of the total funding for high crime cities, 30 percent is available for cities with crime rates 200 percent or greater than the state-wide average crime rate. The remainder is distributed to cities with crime rates 125 percent or greater than the state-wide average crime rate. No city may receive more than 50 percent of the funds available for cities with crime rates of 200 percent or more. Seattle is the only city whose funds are limited by this provision. Because funds are distributed on the basis of population, the cap results in undistributed funds. The state treasurer distributes these excess funds to cities with crime rates of 125 percent or more of the state-wide average crime rate.

In August 1991, the state auditor requested an opinion from the attorney general concerning the proper distribution of excess funds resulting from the 50 percent limitation placed on funding for cities with crime rates at 200 percent or more of the state-wide average crime rate. The attorney general responded in a memorandum dated September 19, 1991, that the state treasurer was not distributing the excess funds consistent with the law.

The attorney general found that the statute required 30 percent of the total high crime funding to be distributed to cities with crime rates at or above 200 percent of the average state-wide crime rate. Secondly, the attorney general found that there was no provision directing a reduction in the 30 percent distribution if any city's share exceeds the 50 percent limitation. The attorney general believed this interpretation was consistent with legislative

intent which was to earmark a specific portion of state funding to those cities experiencing crime rates significantly higher than other cities eligible for state funding.

The result of this interpretation is a significant increase in funding for two high crime cities in the 200 percent category, Pasco and Yakima, at the expense of 32 cities in the 125 percent category.

Due to reduced crime rates, the cities of Wapato and Tacoma are no longer eligible for distributions from the funding provided for cities with crime rates of 200 percent or greater than the state-wide average crime rate.

Summary: The formula for distribution of the portion of the motor vehicle excise tax for cities with high crime rates is modified. Thirty percent of the money is for cities with crime rates of at least 175 percent, instead of 200 percent, of the state-wide average. The remaining 70 percent is for cities with a crime rate of at least 125 percent of the state-wide average. In addition, if the amount of the excise tax distributed to a city with a crime rate of at least 175 percent of the state-wide average is limited because the city would be eligible to receive more than 50 percent of the funds available to all cities with a crime rate of at least 175 percent of the state-wide average, the amount of the city's share above 50 percent shall be distributed to cities with a crime rate of at least 125 percent of the state wide average.

Votes on Final Passage:

House	98	0
Senate	47	0

Effective: March 26, 1992