

---

HOUSE BILL 2214

---

State of Washington                      52nd Legislature    1991 1st Special Session

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

Read first time June 12, 1991.    Referred to Committee on Local Government.

1            AN ACT Relating to the municipal criminal justice assistance  
2 account; amending RCW 82.14.320; creating a new section; and declaring  
3 an emergency.

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

5            **Sec. 1.**    RCW 82.14.320 and 1990 2nd ex.s. c 1 s 104 are each  
6 amended to read as follows:

7            (1) The municipal criminal justice assistance account is created in  
8 the state treasury.    The account shall consist of all motor vehicle  
9 excise tax receipts deposited into the account under chapter 82.44 RCW.

10           (2) No city may receive a distribution under this section from the  
11 municipal criminal justice assistance account unless:

12           (a) The city has a crime rate in excess of one hundred twenty-five  
13 percent of the state-wide average as calculated in the most recent  
14 annual report on crime in Washington state as published by the  
15 Washington association of sheriffs and police chiefs;

1 (b) The city has levied the tax authorized in RCW 82.14.030(2) at  
2 the maximum rate or the tax authorized in RCW 82.46.010(2) at the  
3 maximum rate; and

4 (c) The city has a per capita yield from the tax imposed under RCW  
5 82.14.030(1) at the maximum rate of less than one hundred fifty percent  
6 of the state-wide average per capita yield for all cities from such  
7 local sales and use tax.

8 (3) The moneys deposited in the municipal criminal justice  
9 (~~assistance~~) assistance account for distribution under this section  
10 shall be distributed at such times as distributions are made under RCW  
11 82.44.150. The distributions shall be made as follows:

12 (a) Thirty percent of the moneys shall be distributed ratably based  
13 on population as last determined by the office of financial management  
14 to those cities eligible under subsection (2) of this section that have  
15 a crime rate determined under subsection (2)(a) of this section which  
16 is greater than two times the state-wide average crime rate. No city  
17 may receive more than fifty percent of any moneys distributed under  
18 this subsection (a).

19 (b) The remainder of the moneys shall be distributed to all cities  
20 eligible under subsection (2) of this section ratably based on  
21 population as last determined by the office of financial management.

22 (4) No city may receive more than thirty percent of all moneys  
23 distributed under subsection (3) of this section.

24 (5) Moneys distributed under this section shall be expended  
25 exclusively for criminal justice purposes and shall not be used to  
26 replace or supplant existing funding. Criminal justice purposes are  
27 defined as activities that substantially assist the criminal justice  
28 system, which may include circumstances where ancillary benefit to the  
29 civil justice system occurs. Existing funding for purposes of this  
30 subsection is defined as calendar year 1989 actual operating

1 expenditures for criminal justice purposes. Calendar year 1989 actual  
2 operating expenditures for criminal justice purposes exclude the  
3 following: Expenditures for extraordinary events not likely to  
4 reoccur, changes in contract provisions for criminal justice services,  
5 beyond the control of the local jurisdiction receiving the services,  
6 and major nonrecurring capital expenditures.

7 (6) This section expires January 1, 1994.

8 NEW SECTION. Sec. 2. The changes contained in section 1,  
9 chapter --, Laws of 1991 1st ex. sess. (section 1 of this act) are  
10 remedial, curative, and clarify ambiguities in prior existing law.  
11 These changes shall apply retroactively to July 1, 1990.

12 NEW SECTION. Sec. 3. If any provision of this act or its  
13 application to any person or circumstance is held invalid, the  
14 remainder of the act or the application of the provision to other  
15 persons or circumstances is not affected.

16 NEW SECTION. Sec. 4. This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and shall take  
19 effect immediately.