

# HOUSE BILL REPORT

## ESSB 5452

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As Passed House  
April 9, 1993

**Title:** An act relating to payment for costs of incarceration.

**Brief Description:** Requiring misdemeanants to pay jail costs.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Hargrove, Deccio, Oke and Hochstatter).

**Brief History:**

Reported by House Committee on:  
Corrections, March 30, 1993, DPA;  
Passed House - Amended, April 9, 1993, 97-1.

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### HOUSE COMMITTEE ON CORRECTIONS

**Majority Report:** Do pass as amended. Signed by 9 members: Representatives Morris, Chair; Mastin, Vice Chair; Long, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; G. Cole; L. Johnson; Ogden; Padden; and Riley.

**Staff:** Jim Lux (786-7841).

**Background:** In 1991, legislation was passed allowing Superior Court judges to order convicted felons to pay \$50 per day toward the cost of incarceration. At the time of sentencing, the court may determine that the defendant has the ability to pay the cost of his or her incarceration, in addition to any other financial obligations imposed. If the court determines that the defendant can pay for the costs of incarceration, the court may order that \$50 per day be paid by the defendant toward the cost of incarceration.

**Summary of Bill:** Superior and district court judges may order defendants convicted of misdemeanors and gross misdemeanors to pay for the cost of incarceration at the rate of up to \$50 per day. Indigent defendants are excluded. Payment of legal financial obligations take precedence over the payment of the cost of incarceration. Payments by defendants are deposited with the city or county and the proceeds are to be used for criminal justice purposes.

**Fiscal Note:** Available.

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

**Testimony For:** To the extent payments are collected and received, the funds will be used to pay for the cost of criminal justice services at the local level.

**Testimony Against:** None.

**Witnesses:** Kurt Sharar, Washington State Association of Counties (Pro); and Matt Thomas, Washington Association of Prosecuting Attorneys (Pro).