

**SENATE BILL REPORT**

**SB 5452**

**AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 10, 1993**

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

**SPONSORS:** Senators Hargrove, Deccio, Oke and Hochstatter

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 5452 be substituted therefor, and the substitute bill do pass.

Signed by Senators A. Smith, Chairman; Quigley, Vice Chairman; Hargrove, McCaslin, Nelson, Niemi, Rinehart, Roach, and Spanel.

**Staff:** Tom McBride (786-7448)

**Hearing Dates:** February 9, 1993; February 10, 1993

**BACKGROUND:**

In 1991 legislation was passed that allowed superior court judges to order defendants convicted of felonies to pay for the cost of their incarceration. The court first determines 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 has the discretion to order \$50 per day of incarceration be paid by the defendant.

**SUMMARY:**

Superior and district court judges are allowed to order defendants convicted of misdemeanors and gross misdemeanors to pay for the cost of their incarceration at the rate of up to \$50 per day. The court would make an initial determination that the defendant has the ability to pay.

**EFFECT OF PROPOSED SUBSTITUTE:**

The cost of incarceration will not be recovered until all other legal financial obligations are paid.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested February 5, 1993

**TESTIMONY FOR:** None

**TESTIMONY AGAINST:** None

**TESTIFIED:** No one