

FINAL BILL REPORT

2E2SSB 5521

C 21 L 93 E1

SYNOPSIS AS ENACTED

Brief Description: Concerning criminal justice programs.

SPONSORS: Senate Committee on Ways & Means (originally sponsored by Senators Loveland, Prince, Vognild, Sheldon, Quigley, Jesernig, Skratek, McAuliffe and Snyder)

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

SENATE COMMITTEE ON WAYS & MEANS

BACKGROUND:

In 1990, the Legislature passed the Local Criminal Justice Fiscal Assistance Act. The act was passed in response to concerns expressed by counties and cities as to the adequacy of their resources to provide for a variety of efficient criminal justice activities. A one-time general fund distribution was given to counties based on each county's size, crime rate and criminal case filings. A one-time general fund distribution was also given to cities: one-half based on crime rates; one-half based on population. For the period July 1, 1990 to January 1, 1994, the act distributes 5.9686 percent of the state Motor Vehicle Excise Tax (MVET) to counties based on population, crime rate, and number of criminal cases filed in the county superior court. For the 1991-1993 biennium, the county distribution is estimated at \$58.3 million. For the period July 1, 1990 to January 1, 1994, the act provides for two distributions of the state MVET to cities. The first distribution is 1.1937 percent of the MVET based on crime rates in excess of 125 percent of the statewide average. The second city distribution is also 1.1937 percent of the state MVET based on population. For the 1991-1993 biennium, the city distributions are estimated at \$23.3 million. All three of these distributions must be used exclusively for criminal justice programs.

Seven counties are authorized to impose a temporary one-tenth of 1 percent sales tax. King, Snohomish, Spokane, Thurston and Yakima counties have imposed this tax. The revenues from this tax are distributed to the county and the cities within the county essentially ratably based on population. This tax must be approved by the voters and its authorization expires on January 1, 1994. This tax must be used exclusively for criminal justice programs.

A county legislative authority may establish a local law and justice council, whose membership is determined, in part, by statute. The local law and justice council must develop a

local law and justice plan for the county. The general intent of the plan shall include seeking means to maximize local resources, reduce duplication of services, and share resources between local and state government. The plan must also include a section on jail management.

SUMMARY:

Sixty million dollars will be distributed for local criminal justice purposes from motor vehicle excise tax revenue beginning on January 1, 1994. Of this amount, \$42.9 million will be distributed to counties and \$17.1 million will be distributed to cities.

The distribution formulas for counties and high crime rate cities are based on the same formula as for the current MVET distributions.

The city distribution based on population is eliminated and a new city distribution is provided. The new city distribution is divided into the following allocations:

- 1) 20 percent based on violent crime rates;
- 2) 16 percent based on population;

The remaining city allocations are based on funding requests to the Department of Community Development (DCD). Criteria for distribution will be established by an advisory committee consisting of a representative from DCD, representatives from the Association of Washington Cities, and representatives from the Association of Washington Sheriffs and Police Chiefs. These allocations will be distributed for the following programs:

- 3) 14 percent to cities with innovative law enforcement strategies;
- 4) 20 percent to at risk children programs and for child abuse victim response programs;
- 5) 20 percent to reduce the level of domestic violence and for counseling for domestic violence victims; and
- 6) 10 percent to cities who contract with other governmental entities for law enforcement services.

Any undistributed funds are used to reimburse local law enforcement agencies with fewer than 10 employees for manpower replacement costs when their employees attend training at the Criminal Justice Training Commission.

Total MVET distributions are capped at \$60 million during the 1993-95 biennium for local criminal justice purposes. For the 1995-97 biennium, the distributions are allowed to grow at the same rate as the MVET revenue. After fiscal year 1998, the distributions will grow with the implicit price deflator.

The definition of criminal justice purposes is expanded to include domestic violence programs.

Authorization for the one-tenth of 1 percent sales tax for criminal justice programs is made permanent and is extended to all counties. The sales tax is non-voter approved, but is subject to referendum.

A local law and justice council is made mandatory in every county. The local law and justice plan for the county shall include maximization of personnel and facilities in order to accomplish local efficiencies.

Appropriation: \$60,000,000

VOTES ON FINAL PASSAGE:

Senate 43 5

First Special Session

Senate 44 2

House 98 0 (House amended)

Senate 42 1 (Senate concurred)

EFFECTIVE:

May 28, 1993 (Section 4)

July 1, 1993

January 1, 1994 (Sections 1-3, 5, 7)