
HOUSE BILL 2594

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Appelwick and Springer

Read first time 01/19/94. Referred to Committee on Judiciary.

1 AN ACT Relating to local government costs for criminal
2 prosecutions; and amending RCW 3.62.070 and 70.48.400.

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

4 **Sec. 1.** RCW 3.62.070 and 1984 c 258 s 39 are each amended to read
5 as follows:

6 Except in traffic cases wherein bail is forfeited or a monetary
7 penalty paid to a violations bureau, and except in cases filed in
8 municipal departments established pursuant to chapter 3.46 RCW and
9 except in cases where a city has contracted with another city for such
10 services pursuant to chapter 39.34 RCW, in every criminal or traffic
11 infraction action filed by a city for an ordinance violation and in
12 every misdemeanor or gross misdemeanor charge filed by the city,
13 whether under city code or state statute, the city shall be charged a
14 filing fee determined pursuant to an agreement as provided for in
15 chapter 39.34 RCW, the interlocal cooperation act, between the city and
16 the county providing the court service. In such criminal or traffic
17 infraction actions the cost of providing services necessary for the
18 preparation and presentation of a defense at public expense are not
19 within the filing fee and shall be paid by the city. In all other

1 criminal or traffic infraction actions, no filing fee shall be assessed
2 or collected: PROVIDED, That in such cases, for the purposes of RCW
3 3.62.010, four dollars or the agreed filing fee of each fine or
4 penalty, whichever is greater, shall be deemed filing costs. In the
5 event no agreement is reached between a municipal corporation and the
6 county providing the court service within ninety days of September 1,
7 1979, the municipal corporation and the county shall be deemed to have
8 entered into an agreement to submit the issue to arbitration pursuant
9 to chapter 7.04 RCW, and the municipal corporation and the county shall
10 be entitled to the same rights and subject to the same duties as other
11 parties who have agreed to submit to arbitration pursuant to chapter
12 7.04 RCW. In the event that such issue is submitted to arbitration,
13 the arbitrator or arbitrators shall only consider those additional
14 costs borne by the county in providing district court services for such
15 city.

16 **Sec. 2.** RCW 70.48.400 and 1987 c 462 s 11 are each amended to read
17 as follows:

18 Persons sentenced to felony terms or a combination of terms of more
19 than three hundred sixty-five days of incarceration shall be committed
20 to state institutions under the authority of the department of
21 corrections. Persons serving sentences of three hundred sixty-five
22 consecutive days or less may be sentenced to a jail as defined in RCW
23 70.48.020. All persons convicted of felonies or misdemeanors and
24 sentenced to jail shall be the financial responsibility of the city or
25 county that charged the person.

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