

2 **SSB 5977 - H COMM AMD NOT ADOPTED 4/11/95**

3 By Committee on Law & Justice

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5 On page 9, after Line 10, insert the following:

6 "Sec. 13. RCW 82.14.330 and 1994 c 273 s 22 are each amended to
7 read as follows:

8 (1) The moneys deposited in the municipal criminal justice
9 assistance account for distribution under this section, less any moneys
10 appropriated for purposes under RCW 82.44.110, shall be distributed to
11 the cities of the state as follows:

12 (a) Twenty percent appropriated for distribution shall be
13 distributed to cities with a three-year average violent crime rate for
14 each one thousand in population in excess of one hundred fifty percent
15 of the state-wide three-year average violent crime rate for each one
16 thousand in population. The three-year average violent crime rate
17 shall be calculated using the violent crime rates for each of the
18 preceding three years from the annual reports on crime in Washington
19 state as published by the Washington association of sheriffs and police
20 chiefs. Moneys shall be distributed under this subsection (1)(a)
21 ratably based on population as last determined by the office of
22 financial management, but no city may receive more than one dollar per
23 capita. Moneys remaining undistributed under this subsection at the
24 end of each calendar year shall be distributed to the criminal justice
25 training commission to reimburse participating city law enforcement
26 agencies with ten or fewer full-time commissioned patrol officers the
27 cost of temporary replacement of each officer who is enrolled in basic
28 law enforcement training, as provided in RCW 43.101.200.

29 (b) Sixteen percent shall be distributed to cities ratably based on
30 population as last determined by the office of financial management,
31 but no city may receive less than one thousand dollars.

32 The moneys deposited in the municipal criminal justice assistance
33 account for distribution under this subsection shall be distributed at
34 such times as distributions are made under RCW 82.44.150.

35 Moneys distributed under this subsection shall be expended
36 exclusively for criminal justice purposes and shall not be used to

1 replace or supplant existing funding. Criminal justice purposes are
2 defined as activities that substantially assist the criminal justice
3 system, which may include circumstances where ancillary benefit to the
4 civil justice system occurs, and which includes domestic violence
5 services such as those provided by domestic violence programs,
6 community advocates, and legal advocates, as defined in RCW 70.123.020.
7 Existing funding for purposes of this subsection is defined as calendar
8 year 1989 actual operating expenditures for criminal justice purposes.
9 Calendar year 1989 actual operating expenditures for criminal justice
10 purposes exclude the following: Expenditures for extraordinary events
11 not likely to reoccur, changes in contract provisions for criminal
12 justice services, beyond the control of the local jurisdiction
13 receiving the services, and major nonrecurring capital expenditures.

14 (2) In addition to the distributions under subsection (1) of this
15 section:

16 (a) Fourteen percent shall be distributed to cities that have
17 initiated innovative law enforcement strategies, including alternative
18 sentencing and crime prevention programs. No city may receive more
19 than one dollar per capita under this subsection (2)(a).

20 (b) Twenty percent shall be distributed to cities that have
21 initiated programs to help at-risk children or child abuse victim
22 response programs. No city may receive more than fifty cents per
23 capita under this subsection (2)(b).

24 (c) Twenty percent shall be distributed to cities that have
25 initiated programs designed to reduce the level of domestic violence
26 within their jurisdictions or to provide counseling for domestic
27 violence victims. No city may receive more than fifty cents per capita
28 under this subsection (2)(c).

29 (d) Ten percent shall be distributed to cities that contract with
30 another governmental agency for a majority of the city's law
31 enforcement services.

32 Moneys distributed under this subsection shall be distributed to
33 those cities that submit funding requests under this subsection to the
34 department of community, trade, and economic development based on
35 criteria developed under RCW 82.14.335. Allocation of funds shall be
36 in proportion to the population of qualified jurisdictions, but the
37 distribution to a city shall not exceed the amount of funds requested.
38 Cities shall submit requests for program funding to the department of
39 community, trade, and economic development by November 1 of each year

1 for funding the following year. The department shall certify to the
2 state treasurer the cities eligible for funding under this subsection
3 and the amount of each allocation.

4 The moneys deposited in the municipal criminal justice assistance
5 account for distribution under this subsection, less any moneys
6 appropriated for purposes under RCW 82.44.110, shall be distributed at
7 the times as distributions are made under RCW 82.44.150. Moneys
8 remaining undistributed under this subsection at the end of each
9 calendar year shall be distributed to the criminal justice training
10 commission to reimburse participating city law enforcement agencies
11 with ten or fewer full-time commissioned patrol officers the cost of
12 temporary replacement of each officer who is enrolled in basic law
13 enforcement training, as provided in RCW 43.101.200.

14 If a city is found by the state auditor to have expended funds
15 received under this subsection in a manner that does not comply with
16 the criteria under which the moneys were received, the city shall be
17 ineligible to receive future distributions under this subsection until
18 the use of the moneys are justified to the satisfaction of the director
19 or are repaid to the state general fund. The director may allow
20 noncomplying use of moneys received under this subsection upon a
21 showing of hardship or other emergent need.

22 (3) Notwithstanding other provisions of this section, the
23 distributions to any city that substantially decriminalizes or repeals
24 its criminal code after July 1, 1990, and that does not reimburse the
25 county for costs associated with criminal cases under RCW 3.50.800 or
26 3.50.805(2), shall be made to the county in which the city is located."

27 Renumber the remaining section and correct the title accordingly.

28 EFFECT: The bill provides that up to 5 percent of all motor
29 vehicle excise tax moneys deposited in the county and municipal
30 criminal justice assistance accounts may be appropriated for the
31 purposes of enhancing the crime laboratory. There are three sections
32 of the RCW concerning distributions of the moneys deposited in these
33 accounts: RCW 82.14.310, 82.14.320, and 82.14.330. The bill amends
34 82.14.310 and 82.14.320 to exclude from the distributions the 5 percent
35 that may be appropriated for the crime laboratory, but it does not
36 amend 82.14.330 to exclude this 5 percent from distributions. This
37 amendment excludes from distributions under RCW 82.14.330 the 5 percent
38 that may be appropriated for the crime laboratory.

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