

HOUSE BILL REPORT

SSB 5183

As Reported By House Committee On:

Law & Justice

Title: An act relating to a municipal court defendant incarcerated at a jail facility in the county but outside the city limits.

Brief Description: Allowing an interlocal agreement between a county and municipality to transfer jurisdiction over a defendant.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Roach, Fairley and Winsley).

Brief History:

Committee Activity:

Law & Justice: 3/21/97 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

Staff: Edie Adams (786-7180).

Background: The jurisdiction of a court determines that court's power to hear and decide matters. The jurisdiction of district and municipal courts (courts of limited jurisdiction) is provided for in statute. Municipal courts have jurisdiction over violations of all city ordinances and jurisdiction concurrent with the district court over misdemeanor and gross misdemeanor offenses. The district court in which a city is located has concurrent jurisdiction with the municipal court over violations of civil and criminal city ordinances.

Counties, cities, and towns are responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions and referred to them by their local law enforcement agencies, regardless of whether the charge is a violation of state law or a city ordinance. Cities and counties are authorized to enter into

interlocal agreements concerning the provision of services involved in the prosecution of crimes within the jurisdiction of the city and county. The priority of action rule is a common law doctrine concerning court jurisdiction. The rule provides that the court that first gains jurisdiction over a case retains the exclusive authority to deal with the case until the controversy is completely resolved.

Summary of Bill: The chapter governing the Seattle Municipal Court is amended to provide that when a defendant is incarcerated at a jail facility outside the city limits but within the county in which the city is located, the city may enter into a contract with the county to transfer jurisdiction and venue over the defendant to a district court. The district court would then provide all judicial services relating to the defendant. The district court obtains jurisdiction over the defendant despite the priority of action rule.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: None.

Testimony Against: None.

Testified: None.