
SUBSTITUTE HOUSE BILL 1143

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Ballasiotes, Tokuda, Cairnes, Lovick, Kagi, Koster, Constantine, K. Schmidt, Kastama, Fisher, Quall, Kenney, Veloria, Eickmeyer, Kessler, Lantz, Ogden, Murray, Lambert, Dunn, Rockefeller and Conway)

Read first time 02/19/1999.

1 AN ACT Relating to deductions from inmate funds; and amending RCW
2 72.09.480.

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

4 **Sec. 1.** RCW 72.09.480 and 1998 c 261 s 2 are each amended to read
5 as follows:

6 (1) Unless the context clearly requires otherwise, the definitions
7 in this section apply to this section.

8 (a) "Cost of incarceration" means the cost of providing an inmate
9 with shelter, food, clothing, transportation, supervision, and other
10 services and supplies as may be necessary for the maintenance and
11 support of the inmate while in the custody of the department, based on
12 the average per inmate costs established by the department and the
13 office of financial management.

14 (b) "Minimum term of confinement" means the minimum amount of time
15 an inmate will be confined in the custody of the department,
16 considering the sentence imposed and adjusted for the total potential
17 earned early release time available to the inmate.

18 (2) When an inmate, except as provided in subsection (6) of this
19 section, receives any funds in addition to his or her wages or

1 gratuities, the additional funds shall be subject to (~~the deductions~~
2 ~~in RCW 72.09.111(1)(a) and the priorities established in chapter 72.11~~
3 ~~RCW~~): (a) Deductions of five percent to the public safety and
4 education account for the purpose of crime victims' compensation and
5 twenty percent to the department to be contributed to the cost of
6 incarceration for funds received each month totaling one hundred
7 dollars or less; and (b) deductions in RCW 72.09.111(1)(a) and the
8 priorities established in chapter 72.11 RCW for funds received each
9 month exceeding one hundred dollars.

10 (3) The amount deducted from an inmate's funds under subsection (2)
11 of this section shall not exceed the department's total cost of
12 incarceration for the inmate incurred during the inmate's minimum or
13 actual term of confinement, whichever is longer.

14 (4) The deductions required under subsection (2) of this section
15 shall not apply to funds received by the department on behalf of an
16 offender for payment of (~~one~~) fee-based education or vocational
17 (~~program that is~~) programs or related educational materials that are
18 associated with an inmate's work program or a placement decision made
19 by the department under RCW 72.09.460 to prepare an inmate for work
20 upon release. Any funds received by the department on behalf of an
21 offender's education that are requested by that offender to be used for
22 purposes other than education or vocational programming shall be
23 subject to the deductions in subsection (2) of this section.

24 (5) The deductions required under subsection (2) of this section
25 shall not apply to funds received by the department from family or
26 other outside sources for the payment of expenses for elective,
27 offender paid health care, as defined by department policy. In order
28 for these deductions not to apply, the offender must have already
29 received department approval of a formal request for offender paid
30 health care. The funds for which deductions shall not apply under this
31 provision can be used only in payment for the elective, offender paid
32 health care and for related expenses including, but not limited to,
33 transportation and custody escorting of the offender. Any funds
34 received by the department on behalf of an offender for his or her
35 elective, offender paid health care that are requested by that offender
36 to be used for purposes other than the offender's elective, offender
37 paid health care shall be subject to the deductions in subsection (2)
38 of this section.

1 (6) When an inmate sentenced to life imprisonment without
2 possibility of release or parole, or to death under chapter 10.95 RCW,
3 receives any funds in addition to his or her gratuities, the additional
4 funds shall be subject to: Deductions of five percent to the public
5 safety and education account for the purpose of crime victims'
6 compensation and twenty percent to the department to contribute to the
7 cost of incarceration.

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