
HOUSE BILL 2913

State of Washington 56th Legislature 2000 Regular Session

By Representatives Wolfe, Schoesler, Romero and Haigh

Read first time 01/24/2000. Referred to Committee on Local Government.

1 AN ACT Relating to responsibilities of the state and local
2 governments for criminal justice costs; and amending RCW 39.34.180.

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

4 **Sec. 1.** RCW 39.34.180 and 1996 c 308 s 1 are each amended to read
5 as follows:

6 (1) The state and each county, city, and town is responsible for
7 the prosecution, adjudication, sentencing, and incarceration of
8 misdemeanor and gross misdemeanor offenses committed by adults in their
9 respective jurisdictions, and referred from their respective law
10 enforcement agencies, whether filed under state law or city ordinance,
11 and must carry out these responsibilities through the use of their own
12 courts, staff, and facilities, or by entering into contracts or
13 interlocal agreements under this chapter to provide these services.
14 Nothing in this section is intended to alter the statutory
15 responsibilities of each county for the prosecution, adjudication,
16 sentencing, and incarceration for not more than one year of felony
17 offenders, nor shall this section apply to any offense initially filed
18 by the prosecuting attorney as a felony offense or an attempt to commit
19 a felony offense.

1 (2) The following principles must be followed in negotiating
2 interlocal agreements or contracts: Cities and counties must consider
3 (a) anticipated costs of services; and (b) anticipated and potential
4 revenues to fund the services, including fines and fees, criminal
5 justice funding, and state-authorized sales tax funding levied for
6 criminal justice purposes.

7 (3) If an agreement as to the levels of compensation within an
8 interlocal agreement or contract for gross misdemeanor and misdemeanor
9 services cannot be reached (~~((between a city and county))~~), then either
10 party may invoke binding arbitration on the compensation (~~((issued))~~)
11 issue by notice to the other party. In the case of establishing
12 initial compensation, the notice shall request arbitration within
13 thirty days. In the case of nonrenewal of an existing contract or
14 interlocal agreement, the notice must be given one hundred twenty days
15 prior to the expiration of the existing contract or agreement and the
16 existing contract or agreement remains in effect until a new agreement
17 is reached or until an arbitration award on the matter of (~~((fees))~~)
18 compensation is made. (~~((The city and county))~~) Each party shall select
19 one arbitrator, and the initial two arbitrators shall pick a third
20 arbitrator.

21 (4) For cities or towns that have not adopted, in whole or in part,
22 criminal code or ordinance provisions related to misdemeanor and gross
23 misdemeanor crimes as defined by state law, this section shall have no
24 application until July 1, 1998.

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