

***Judiciary Committee***

***SB 5252***

***Title:*** *An act relating to venue for courts of limited jurisdiction.*

***Brief Description:*** *Expanding venue for local courts during emergencies and when the defendant appears electronically from a location outside the district.*

***Sponsors:*** *By Senators McCaslin, Kline, Fairley, Hewitt, Patterson, Long, Constantine, Roach and Costa.*

***Brief Summary of Bill***

- *Authorizes district courts to have temporary venue over other district court criminal matters when there is an emergency.*
- *Authorizes district courts to use video or other electronic means to hear criminal actions for violations of local ordinances.*

***Hearing Date:*** *3/27/01*

***Staff:*** *Trudes Hutcheson (786-7384).*

***Background:***

*Venue refers to the place where an action may be brought within the state. For criminal actions in district court, venue is generally the district where the alleged violation occurred. Felony cases may be filed in a district in which the county seat is located. With the consent of the defendant, criminal actions other than those arising out of violations of city ordinances may be brought in the district in which the county seat is located. Violations of driving a motor vehicle while under the influence of intoxicating liquor or drugs may be filed in adjacent enhanced enforcement districts within the same county. A change of venue may be allowed when there is reason to believe that a fair trial cannot be had in that district or where the convenience of the witnesses or the ends of justice would be forwarded.*

*Court rules allow a court to use electronic means, such as video conference, to conduct*

*preliminary appearances, arraignments, bail hearings, and trial settings.*

***Summary of Bill:***

*In the event of an emergency created by an act of nature, civil unrest, technological failure, or other hazardous condition, temporary venue for court of limited jurisdiction matters may be in a district not impacted by the emergency. This emergency venue lasts only for the duration of the emergency.*

*A criminal action for violation of a local ordinance may be heard in court using electronic means, as approved by the state supreme court, with the defendant appearing electronically from outside the court's geographic jurisdiction.*

***Appropriation:*** *None.*

***Fiscal Note:*** *Not Requested.*

***Effective Date:*** *Ninety days after adjournment of session in which bill is passed.*