

HOUSE BILL REPORT

ESSB 6023

As Passed House:

April 24, 2003

Title: An act relating to increasing certain assessments and penalties imposed by courts.

Brief Description: Increasing certain assessments and penalties imposed by courts.

Sponsors: By Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Rossi, Fairley and Kohl-Welles).

Brief History:

Committee Activity:

Appropriations: 4/22/03 [DP].

Floor Activity:

Passed House: 4/24/03, 69-28.

Brief Summary of Engrossed Substitute Bill

- Increases the additional penalty on traffic infractions from \$10 to \$20.
- Increases the first penalty assessments on fines, forfeitures, and penalties by courts of limited jurisdiction from 60 to 70 percent of the fine.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 22 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Sehlin, Ranking Minority Member; Alexander, Boldt, Clements, Cody, Conway, Cox, DeBolt, Dunshee, Grant, Hunter, Kagi, Kenney, Kessler, Linville, McIntire, Miloscia, Ruderman, Schual-Berke and Talcott.

Minority Report: Do not pass. Signed by 5 members: Representatives Pearson, Assistant Ranking Minority Member; Buck, McDonald, Pflug and Sump.

Staff: Heather Flodstrom (786-7391).

Background:

Persons who are found to have committed traffic infractions are assessed civil penalties. Revenues from traffic infraction penalties are split between local governments and the

state through several different distributions.

Of the base traffic infraction penalty, the first \$12 from each charge must be remitted to the state Judicial Information System Account. Added to the base penalty is a \$5 fee that is distributed to the state Emergency Medical Services and Trauma Care System Trust Account. In addition, unless the offender is indigent, the court must charge an additional penalty of \$10. If the offender is indigent, community restitution may be substituted. The revenues from this charge are distributed 32 percent to the state Public Safety and Education Account (PSEA) and 68 percent to local governments.

Courts of limited jurisdiction must also add two separate assessments to all court fines, forfeitures, and penalties. The first penalty assessment is 60 percent of the fine, which is distributed 32 percent to the state and 68 percent to local governments. The second penalty assessment is 50 percent of the first assessment, and all of these funds are distributed to the state PSEA.

The PSEA is currently used to fund crime prevention and criminal justice-related programs in the Criminal Justice Training Commission, the Department of Social and Health Services, the Office of the Administrator for the Courts, the Department of Corrections, the Washington State Patrol, the Department of Community, Trade and Economic Development, the Office of Public Defense, the Department of Labor and Industries (Crime Victim's Compensation), and others.

Local revenues from traffic infractions and court penalties are deposited into county current expense funds. State law requires 1.75 percent of local penalty money to fund local programs for crime victims.

Summary of Bill:

The additional penalty on all traffic infractions is increased from \$10 to \$20. Of the total \$20, \$8.50 is distributed entirely to the state PSEA. The remaining amount is distributed 32 percent to the state PSEA and 68 percent to local governments.

The first penalty assessment on all fines, forfeitures, and penalties by courts of limited jurisdiction is increased from 60 to 70 percent. The existing revenue distribution of the 32 percent to the PSEA and 68 percent to local governments is retained.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill

is passed.

Testimony For: None.

Testimony Against: None.

Testified: None.