

SENATE BILL REPORT

ESSB 6023

As Passed Senate, April 14, 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: Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Rossi, Fairley and Kohl-Welles).

Brief History:

Committee Activity: Ways & Means: 3/10/03 [DPS, DNP].

Passed Senate: 4/14/03, 48-0.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6023 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rossi, Chair; Hewitt, Vice Chair; Zarelli, Vice Chair; Hale, Honeyford, Johnson, Parlette, Sheahan and Winsley.

Minority Report: Do not pass.

Signed by Senator Brown.

Staff: Chelsea Buchanan (786-7446)

Background: Persons who are found to have committed traffic infractions are assessed civil penalties. Revenues from traffic infraction penalties are split to 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 locals. The second penalty assessment is 50 percent of the first assessment, and all of these funds are distributed to the state PSEA.

The state 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 68 percent to local governments and 32 percent to the state PSEA.

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

Appropriation: None.

Fiscal Note: Requested on March 11, 2003.

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

Testimony For: The intent of the bill is to raise revenue to offset cuts in the Governor's budget to "Becca" programs.

Testimony Against: None.

Testified: Senator Dino Rossi, co-sponsor.