
HOUSE BILL 1265

State of Washington 58th Legislature 2003 Regular Session

By Representatives Sump, Schoesler and Cox

Read first time 01/22/2003. Referred to Committee on Appropriations.

1 AN ACT Relating to local government financial assistance; amending
2 RCW 70.05.125, 82.14.200, 82.14.210, 82.14.310, 82.14.320, and
3 82.14.330; adding a new section to chapter 82.32 RCW; creating a new
4 section; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to make
7 funding for cities, counties, and public health districts a priority.
8 The legislature intends to ensure that local governments and health
9 districts have adequate funding in order to carry out the essential
10 functions of government which are public safety and public health. The
11 current structure for the funding of these services is inadequate and
12 jeopardizes the health and safety of our citizens.

13 **Sec. 2.** RCW 70.05.125 and 1998 c 266 s 1 are each amended to read
14 as follows:

15 (1) The county public health account is created in the state
16 treasury. Funds deposited in the county public health account shall be
17 distributed by the state treasurer to each local public health
18 jurisdiction based upon amounts certified to it by the department of

1 community, trade, and economic development in consultation with the
2 Washington state association of counties. The account shall include
3 funds distributed under (~~RCW 82.44.110~~) section 8(1) of this act and
4 RCW 82.14.200(8) and such funds as are appropriated to the account from
5 the health services account under RCW 43.72.900, the public health
6 services account under RCW 43.72.902, and such other funds as the
7 legislature may appropriate to it.

8 (2)(a) The director of the department of community, trade, and
9 economic development shall certify the amounts to be distributed to
10 each local public health jurisdiction using 1995 as the base year of
11 actual city contributions to local public health.

12 (b) Only if funds are available and in an amount no greater than
13 available funds under RCW 82.14.200(8), the department of community,
14 trade, and economic development shall adjust the amount certified under
15 (a) of this subsection to compensate for any annexation of an area with
16 fifty thousand residents or more to any city as a result of a petition
17 during calendar year 1996 or 1997, or for any city that became newly
18 incorporated as a result of an election during calendar year 1994 or
19 1995. The amount to be adjusted shall be equal to the amount which
20 otherwise would have been lost to the health jurisdiction due to the
21 annexation or incorporation as calculated using the jurisdiction's 1995
22 funding formula.

23 (c) The county treasurer shall certify the actual 1995 city
24 contribution to the department. Funds in excess of the base shall be
25 distributed proportionately among the health jurisdictions based on
26 incorporated population figures as last determined by the office of
27 financial management.

28 (3) Moneys distributed under this section shall be expended
29 exclusively for local public health purposes.

30 **Sec. 3.** RCW 82.14.200 and 1998 c 321 s 8 are each amended to read
31 as follows:

32 There is created in the state treasury a special account to be
33 known as the "county sales and use tax equalization account." Into
34 this account shall be placed a portion of all (~~motor vehicle excise
35 tax receipts as provided in RCW 82.44.110~~) sales and use tax receipts
36 as provided in section 8(2) of this act. Funds in this account shall

1 be allocated by the state treasurer according to the following
2 procedure:

3 (1) Prior to April 1st of each year the director of revenue shall
4 inform the state treasurer of the total and the per capita levels of
5 revenues for the unincorporated area of each county and the statewide
6 weighted average per capita level of revenues for the unincorporated
7 areas of all counties imposing the sales and use tax authorized under
8 RCW 82.14.030(1) for the previous calendar year.

9 ~~((At such times as distributions are made under RCW 82.44.150))~~
10 On the first day of the months of January, April, July, and October of
11 each year, the state treasurer shall apportion to each county imposing
12 the sales and use tax under RCW 82.14.030(1) at the maximum rate and
13 receiving less than one hundred fifty thousand dollars from the tax for
14 the previous calendar year, an amount from the county sales and use tax
15 equalization account sufficient, when added to the amount of revenues
16 received the previous calendar year by the county, to equal one hundred
17 fifty thousand dollars.

18 The department of revenue shall establish a governmental price
19 index as provided in this subsection. The base year for the index
20 shall be the end of the third quarter of 1982. Prior to November 1,
21 1983, and prior to each November 1st thereafter, the department of
22 revenue shall establish another index figure for the third quarter of
23 that year. The department of revenue may use the implicit price
24 deflators for state and local government purchases of goods and
25 services calculated by the United States department of commerce to
26 establish the governmental price index. Beginning on January 1, 1984,
27 and each January 1st thereafter, the one hundred fifty thousand dollar
28 base figure in this subsection shall be adjusted in direct proportion
29 to the percentage change in the governmental price index from 1982
30 until the year before the adjustment. Distributions made under this
31 subsection for 1984 and thereafter shall use this adjusted base amount
32 figure.

33 (3) On the first day of the months of January, April, July, and
34 October of each year, subsequent to the distributions under subsection
35 (2) of this section ~~((and at such times as distributions are made under~~
36 ~~RCW 82.44.150))~~, the state treasurer shall apportion to each county
37 imposing the sales and use tax under RCW 82.14.030(1) at the maximum
38 rate and receiving less than seventy percent of the statewide weighted

1 average per capita level of revenues for the unincorporated areas of
2 all counties as determined by the department of revenue under
3 subsection (1) of this section, an amount from the county sales and use
4 tax equalization account sufficient, when added to the per capita level
5 of revenues for the unincorporated area received the previous calendar
6 year by the county, to equal seventy percent of the statewide weighted
7 average per capita level of revenues for the unincorporated areas of
8 all counties determined under subsection (1) of this section, subject
9 to reduction under subsections (6) and (7) of this section. When
10 computing distributions under this section, any distribution under
11 subsection (2) of this section shall be considered revenues received
12 from the tax imposed under RCW 82.14.030(1) for the previous calendar
13 year.

14 (4) On the first day of the months of January, April, July, and
15 October of each year, subsequent to the distributions under subsection
16 (3) of this section (~~and at such times as distributions are made under~~
17 ~~RCW 82.44.150~~), the state treasurer shall apportion to each county
18 imposing the sales and use tax under RCW 82.14.030(2) at the maximum
19 rate and receiving a distribution under subsection (2) of this section,
20 a third distribution from the county sales and use tax equalization
21 account. The distribution to each qualifying county shall be equal to
22 the distribution to the county under subsection (2) of this section,
23 subject to the reduction under subsections (6) and (7) of this section.
24 To qualify for the total distribution under this subsection, the county
25 must impose the tax under RCW 82.14.030(2) for the entire calendar
26 year. Counties imposing the tax for less than the full year shall
27 qualify for prorated allocations under this subsection proportionate to
28 the number of months of the year during which the tax is imposed.

29 (5) On the first day of the months of January, April, July, and
30 October of each year, subsequent to the distributions under subsection
31 (4) of this section (~~and at such times as distributions are made under~~
32 ~~RCW 82.44.150~~), the state treasurer shall apportion to each county
33 imposing the sales and use tax under RCW 82.14.030(2) at the maximum
34 rate and receiving a distribution under subsection (3) of this section,
35 a fourth distribution from the county sales and use tax equalization
36 account. The distribution to each qualifying county shall be equal to
37 the distribution to the county under subsection (3) of this section,
38 subject to the reduction under subsections (6) and (7) of this section.

1 To qualify for the distributions under this subsection, the county must
2 impose the tax under RCW 82.14.030(2) for the entire calendar year.
3 Counties imposing the tax for less than the full year shall qualify for
4 prorated allocations under this subsection proportionate to the number
5 of months of the year during which the tax is imposed.

6 (6) Revenues distributed under subsections (2) through (5) of this
7 section in any calendar year shall not exceed an amount equal to
8 seventy percent of the statewide weighted average per capita level of
9 revenues for the unincorporated areas of all counties during the
10 previous calendar year. If distributions under subsections (3) through
11 (5) of this section cannot be made because of this limitation, then
12 distributions under subsections (3) through (5) of this section shall
13 be reduced ratably among the qualifying counties.

14 (7) If inadequate revenues exist in the county sales and use tax
15 equalization account to make the distributions under subsections (3)
16 through (5) of this section, then the distributions under subsections
17 (3) through (5) of this section shall be reduced ratably among the
18 qualifying counties. At such time during the year as additional funds
19 accrue to the county sales and use tax equalization account, additional
20 distributions shall be made under subsections (3) through (5) of this
21 section to the counties.

22 (8) If the level of revenues in the county sales and use tax
23 equalization account exceeds the amount necessary to make the
24 distributions under subsections (2) through (5) of this section, (~~at~~
25 ~~such times as distributions are made under RCW 82.44.150~~) on the first
26 day of the months of January, April, July, and October of each year,
27 the state treasurer shall apportion an amount to the county public
28 health account created in RCW 70.05.125 equal to the adjustment under
29 RCW 70.05.125(2)(b).

30 (9) If the level of revenues in the county sales and use tax
31 equalization account exceeds the amount necessary to make the
32 distributions under subsections (2) through (5) and (8) of this
33 section, then the additional revenues shall be credited and transferred
34 as follows:

35 (a) Fifty percent to the public facilities construction loan
36 revolving account under RCW 43.160.080; and

37 (b) Fifty percent to the distressed county public facilities
38 construction loan account under RCW 43.160.220, or so much thereof as

1 will not cause the balance in the account to exceed twenty-five million
2 dollars. Any remaining funds shall be deposited into the public
3 facilities construction loan revolving account.

4 **Sec. 4.** RCW 82.14.210 and 1996 c 64 s 1 are each amended to read
5 as follows:

6 There is created in the state treasury a special account to be
7 known as the "municipal sales and use tax equalization account." Into
8 this account shall be placed such revenues as are provided under ((RCW
9 82.44.110(1)(e))) section 8(3) of this act. Funds in this account
10 shall be allocated by the state treasurer according to the following
11 procedure:

12 (1) Prior to ((January)) April 1st of each year the department of
13 revenue shall determine the total and the per capita levels of revenues
14 for each city and the statewide weighted average per capita level of
15 revenues for all cities imposing the sales and use tax authorized under
16 RCW 82.14.030(1) for the previous calendar year.

17 ((At such times as distributions are made under RCW 82.44.150,
18 the state treasurer shall apportion to each city not imposing the sales
19 and use tax under RCW 82.14.030(2) an amount from the municipal sales
20 and use tax equalization account equal to the amount distributed to the
21 city under RCW 82.44.155, multiplied by forty five fifty fifths.)) On
22 the first day of the months of January, April, July, and October of
23 each year, the state treasurer shall distribute to cities and towns not
24 imposing the sales and use tax under RCW 82.14.030(2) an amount equal
25 to four and two-tenths of one percent of the amount deposited into the
26 municipal sales and use tax equalization account under section 8(3) of
27 this act during the previous calendar year. The amount to be
28 distributed to each city shall be made ratably on the basis of
29 population as last determined by the office of financial management.

30 (3) On the first day of the months of January, April, July, and
31 October of each year, subsequent to the distributions under subsection
32 (2) of this section, ((and at such times as distributions are made
33 under RCW 82.44.150,)) the state treasurer shall apportion to each city
34 imposing the sales and use tax under RCW 82.14.030(1) at the maximum
35 rate and receiving less than seventy percent of the statewide weighted
36 average per capita level of revenues for all cities as determined by
37 the department of revenue under subsection (1) of this section, an

1 amount from the municipal sales and use tax equalization account
2 sufficient, when added to the per capita level of revenues received the
3 previous calendar year by the city, to equal seventy percent of the
4 statewide weighted average per capita level of revenues for all cities
5 determined under subsection (1) of this section, subject to reduction
6 under subsection (6) of this section.

7 (4) On the first day of the months of January, April, July, and
8 October of each year, subsequent to the distributions under subsection
9 (3) of this section, (~~and at such times as distributions are made~~
10 ~~under RCW 82.44.150,~~) the state treasurer shall apportion to each city
11 imposing the sales and use tax under RCW 82.14.030(2) at the maximum
12 rate and receiving a distribution under subsection (3) of this section,
13 a third distribution from the municipal sales and use tax equalization
14 account. The distribution to each qualifying city shall be equal to
15 the distribution to the city under subsection (3) of this section,
16 subject to the reduction under subsection (6) of this section. To
17 qualify for the distributions under this subsection, the city must
18 impose the tax under RCW 82.14.030(2) for the entire calendar year.
19 Cities imposing the tax for less than the full year shall qualify for
20 prorated allocations under this subsection proportionate to the number
21 of months of the year during which the tax is imposed.

22 (5) For a city with an official incorporation date after January 1,
23 1990, municipal sales and use tax equalization distributions shall be
24 made according to the procedures in this subsection. Municipal sales
25 and use tax equalization distributions to eligible new cities shall be
26 made at the same time as distributions are made under subsections (3)
27 and (4) of this section. The department of revenue shall follow the
28 estimating procedures outlined in this subsection until the new city
29 has received a full year's worth of revenues under RCW 82.14.030(1) as
30 of the January municipal sales and use tax equalization distribution.

31 (a) Whether a newly incorporated city determined to receive funds
32 under this subsection receives its first equalization payment at the
33 January, April, July, or October municipal sales and use tax
34 equalization distribution shall depend on the date the city first
35 imposes the tax authorized under RCW 82.14.030(1).

36 (i) A newly incorporated city imposing the tax authorized under RCW
37 82.14.030(1) effective as of January 1st shall be eligible to receive

1 funds under this subsection beginning with the April municipal sales
2 and use tax equalization distribution of that year.

3 (ii) A newly incorporated city imposing the tax authorized under
4 RCW 82.14.030(1) effective as of February 1st, March 1st, or April 1st
5 shall be eligible to receive funds under this subsection beginning with
6 the July municipal sales and use tax equalization distribution of that
7 year.

8 (iii) A newly incorporated city imposing the tax authorized under
9 RCW 82.14.030(1) effective as of May 1st, June 1st, or July 1st shall
10 be eligible to receive funds under this subsection beginning with the
11 October municipal sales and use tax equalization distribution of that
12 year.

13 (iv) A newly incorporated city imposing the tax authorized under
14 RCW 82.14.030(1) effective as of August 1st, September 1st, or October
15 1st shall be eligible to receive funds under this subsection beginning
16 with the January municipal sales and use tax equalization distribution
17 of the next year.

18 (v) A newly incorporated city imposing the tax authorized under RCW
19 82.14.030(1) effective as of November 1st or December 1st shall be
20 eligible to receive funds under this subsection beginning with the
21 April municipal sales and use tax equalization distribution of the next
22 year.

23 (b) For purposes of calculating the amount of funds the new city
24 should receive under this subsection, the department of revenue shall:

25 (i) Estimate the per capita amount of revenues from the tax
26 authorized under RCW 82.14.030(1) that the new city would have received
27 had the city received revenues from the tax the entire calendar year;

28 (ii) Calculate the amount provided under subsection (3) of this
29 section based on the per capita revenues determined under (b)(i) of
30 this subsection;

31 (iii) Prorate the amount determined under (b)(ii) of this
32 subsection by the number of months the tax authorized under RCW
33 82.14.030(1) is imposed.

34 (c) A new city imposing the tax under RCW 82.14.030(2) at the
35 maximum rate and receiving a distribution calculated under (b) of this
36 subsection shall receive another distribution from the municipal sales
37 and use tax equalization account. This distribution shall be equal to

1 the calculation made under (b)(ii) of this subsection, prorated by the
2 number of months the city imposes the tax authorized under RCW
3 82.14.030(2) at the full rate.

4 (d) The department of revenue shall advise the state treasurer of
5 the amounts calculated under (b) and (c) of this subsection and the
6 state treasurer shall distribute these amounts to the new city from the
7 municipal sales and use tax equalization account subject to the
8 limitations imposed in subsection (6) of this section.

9 (e) Revenues estimated under this subsection shall not affect the
10 calculation of the statewide weighted average per capita level of
11 revenues for all cities made under subsection (1) of this section.

12 (6) If inadequate revenues exist in the municipal sales and use tax
13 equalization account to make the distributions under subsection (3),
14 (4), or (5) of this section, then the distributions under subsections
15 (3), (4), and (5) of this section shall be reduced ratably among the
16 qualifying cities. At such time during the year as additional funds
17 accrue to the municipal sales and use tax equalization account,
18 additional distributions shall be made under subsections (3), (4), and
19 (5) of this section to the cities.

20 (7) If the level of revenues in the municipal sales and use tax
21 equalization account exceeds the amount necessary to make the
22 distributions under subsections (2) through (5) of this section, then
23 the additional revenues shall be apportioned among the several cities
24 within the state ratably on the basis of population as last determined
25 by the office of financial management: PROVIDED, That no such
26 distribution shall be made to those cities receiving a distribution
27 under subsection (2) of this section.

28 **Sec. 5.** RCW 82.14.310 and 2001 2nd sp.s. c 7 s 915 are each
29 amended to read as follows:

30 (1) The county criminal justice assistance account is created in
31 the state treasury. Beginning in fiscal year 2000, the state treasurer
32 shall transfer into the county criminal justice assistance account from
33 the general fund the sum of twenty-three million two hundred thousand
34 dollars divided into four equal deposits occurring on July 1, October
35 1, January 1, and April 1. For each fiscal year thereafter, the state
36 treasurer shall increase the total transfer by the fiscal growth

1 factor, as defined in RCW 43.135.025, forecast for that fiscal year by
2 the office of financial management in November of the preceding year.

3 (2) The moneys deposited in the county criminal justice assistance
4 account for distribution under this section, including deposits made
5 under section 8(4) of this act, less any moneys appropriated for
6 purposes under subsection (4) of this section, shall be distributed
7 (~~at such times as distributions are made under RCW 82.44.150~~) on
8 January 1st, April 1st, July 1st, and October 1st of each year and on
9 the relative basis of each county's funding factor as determined under
10 this subsection.

11 (a) A county's funding factor is the sum of:

12 (i) The population of the county, divided by one thousand, and
13 multiplied by two-tenths;

14 (ii) The crime rate of the county, multiplied by three-tenths; and

15 (iii) The annual number of criminal cases filed in the county
16 superior court, for each one thousand in population, multiplied by
17 five-tenths.

18 (b) Under this section and RCW 82.14.320 and 82.14.330:

19 (i) The population of the county or city shall be as last
20 determined by the office of financial management;

21 (ii) The crime rate of the county or city is the annual occurrence
22 of specified criminal offenses, as calculated in the most recent annual
23 report on crime in Washington state as published by the Washington
24 association of sheriffs and police chiefs, for each one thousand in
25 population;

26 (iii) The annual number of criminal cases filed in the county
27 superior court shall be determined by the most recent annual report of
28 the courts of Washington, as published by the office of the
29 administrator for the courts;

30 (iv) Distributions and eligibility for distributions in the 1989-91
31 biennium shall be based on 1988 figures for both the crime rate as
32 described under (ii) of this subsection and the annual number of
33 criminal cases that are filed as described under (iii) of this
34 subsection. Future distributions shall be based on the most recent
35 figures for both the crime rate as described under (ii) of this
36 subsection and the annual number of criminal cases that are filed as
37 described under (iii) of this subsection.

1 (3) Moneys distributed under this section shall be expended
2 exclusively for criminal justice purposes and shall not be used to
3 replace or supplant existing funding. Criminal justice purposes are
4 defined as activities that substantially assist the criminal justice
5 system, which may include circumstances where ancillary benefit to the
6 civil or juvenile justice system occurs, and which includes (a)
7 domestic violence services such as those provided by domestic violence
8 programs, community advocates, and legal advocates, as defined in RCW
9 70.123.020, and (b) during the 2001-2003 fiscal biennium, juvenile
10 dispositional hearings relating to petitions for at-risk youth,
11 truancy, and children in need of services. Existing funding for
12 purposes of this subsection is defined as calendar year 1989 actual
13 operating expenditures for criminal justice purposes. Calendar year
14 1989 actual operating expenditures for criminal justice purposes
15 exclude the following: Expenditures for extraordinary events not
16 likely to reoccur, changes in contract provisions for criminal justice
17 services, beyond the control of the local jurisdiction receiving the
18 services, and major nonrecurring capital expenditures.

19 (4) Not more than five percent of the funds deposited to the county
20 criminal justice assistance account shall be available for
21 appropriations for enhancements to the state patrol crime laboratory
22 system and the continuing costs related to these enhancements. Funds
23 appropriated from this account for such enhancements shall not supplant
24 existing funds from the state general fund.

25 **Sec. 6.** RCW 82.14.320 and 1998 c 321 s 12 are each amended to read
26 as follows:

27 (1) The municipal criminal justice assistance account is created in
28 the state treasury. Beginning in fiscal year 2000, the state treasurer
29 shall transfer into the municipal criminal justice assistance account
30 for distribution under this section from the general fund the sum of
31 four million six hundred thousand dollars divided into four equal
32 deposits occurring on July 1, October 1, January 1, and April 1. For
33 each fiscal year thereafter, the state treasurer shall increase the
34 total transfer by the fiscal growth factor, as defined in RCW
35 43.135.025, forecast for that fiscal year by the office of financial
36 management in November of the preceding year.

1 (2) No city may receive a distribution under this section from the
2 municipal criminal justice assistance account unless:

3 (a) The city has a crime rate in excess of one hundred twenty-five
4 percent of the statewide average as calculated in the most recent
5 annual report on crime in Washington state as published by the
6 Washington association of sheriffs and police chiefs;

7 (b) The city has levied the tax authorized in RCW 82.14.030(2) at
8 the maximum rate or the tax authorized in RCW 82.46.010(3) at the
9 maximum rate; and

10 (c) The city has a per capita yield from the tax imposed under RCW
11 82.14.030(1) at the maximum rate of less than one hundred fifty percent
12 of the statewide average per capita yield for all cities from such
13 local sales and use tax.

14 (3) The moneys deposited in the municipal criminal justice
15 assistance account for distribution under this section, including
16 deposits made under section 8(5) of this act, less any moneys
17 appropriated for purposes under subsection (7) of this section, shall
18 be distributed (~~(at such times as distributions are made under RCW~~
19 ~~82.44.150)~~) on January 1st, April 1st, July 1st, and October 1st of
20 each year. The distributions shall be made as follows:

21 (a) Unless reduced by this subsection, thirty percent of the moneys
22 shall be distributed ratably based on population as last determined by
23 the office of financial management to those cities eligible under
24 subsection (2) of this section that have a crime rate determined under
25 subsection (2)(a) of this section which is greater than one hundred
26 seventy-five percent of the statewide average crime rate. No city may
27 receive more than fifty percent of any moneys distributed under this
28 subsection (a) but, if a city distribution is reduced as a result of
29 exceeding the fifty percent limitation, the amount not distributed
30 shall be distributed under (b) of this subsection.

31 (b) The remainder of the moneys, including any moneys not
32 distributed in subsection (2)(a) of this section, shall be distributed
33 to all cities eligible under subsection (2) of this section ratably
34 based on population as last determined by the office of financial
35 management.

36 (4) No city may receive more than thirty percent of all moneys
37 distributed under subsection (3) of this section.

1 (5) Notwithstanding other provisions of this section, the
2 distributions to any city that substantially decriminalizes or repeals
3 its criminal code after July 1, 1990, and that does not reimburse the
4 county for costs associated with criminal cases under RCW 3.50.800 or
5 3.50.805(2), shall be made to the county in which the city is located.

6 (6) Moneys distributed under this section shall be expended
7 exclusively for criminal justice purposes and shall not be used to
8 replace or supplant existing funding. Criminal justice purposes are
9 defined as activities that substantially assist the criminal justice
10 system, which may include circumstances where ancillary benefit to the
11 civil justice system occurs, and which includes domestic violence
12 services such as those provided by domestic violence programs,
13 community advocates, and legal advocates, as defined in RCW 70.123.020,
14 and publications and public educational efforts designed to provide
15 information and assistance to parents in dealing with runaway or at-
16 risk youth. Existing funding for purposes of this subsection is
17 defined as calendar year 1989 actual operating expenditures for
18 criminal justice purposes. Calendar year 1989 actual operating
19 expenditures for criminal justice purposes exclude the following:
20 Expenditures for extraordinary events not likely to reoccur, changes in
21 contract provisions for criminal justice services, beyond the control
22 of the local jurisdiction receiving the services, and major
23 nonrecurring capital expenditures.

24 (7) Not more than five percent of the funds deposited to the
25 municipal criminal justice assistance account shall be available for
26 appropriations for enhancements to the state patrol crime laboratory
27 system and the continuing costs related to these enhancements. Funds
28 appropriated from this account for such enhancements shall not supplant
29 existing funds from the state general fund.

30 **Sec. 7.** RCW 82.14.330 and 1998 c 321 s 13 are each amended to read
31 as follows:

32 (1) Beginning in fiscal year 2000, the state treasurer shall
33 transfer into the municipal criminal justice assistance account for
34 distribution under this section from the general fund the sum of four
35 million six hundred thousand dollars divided into four equal deposits
36 occurring on July 1, October 1, January 1, and April 1. For each
37 fiscal year thereafter, the state treasurer shall increase the total

1 transfer by the fiscal growth factor, as defined in RCW 43.135.025,
2 forecast for that fiscal year by the office of financial management in
3 November of the preceding year. The moneys deposited in the municipal
4 criminal justice assistance account for distribution under this
5 section, including deposits made under section 8(6) of this act, less
6 any moneys appropriated for purposes under subsection (4) of this
7 section, shall be distributed to the cities of the state as follows:

8 (a) Twenty percent appropriated for distribution shall be
9 distributed to cities with a three-year average violent crime rate for
10 each one thousand in population in excess of one hundred fifty percent
11 of the statewide three-year average violent crime rate for each one
12 thousand in population. The three-year average violent crime rate
13 shall be calculated using the violent crime rates for each of the
14 preceding three years from the annual reports on crime in Washington
15 state as published by the Washington association of sheriffs and police
16 chiefs. Moneys shall be distributed under this subsection (1)(a)
17 ratably based on population as last determined by the office of
18 financial management, but no city may receive more than one dollar per
19 capita. Moneys remaining undistributed under this subsection at the
20 end of each calendar year shall be distributed to the criminal justice
21 training commission to reimburse participating city law enforcement
22 agencies with ten or fewer full-time commissioned patrol officers the
23 cost of temporary replacement of each officer who is enrolled in basic
24 law enforcement training, as provided in RCW 43.101.200.

25 (b) Sixteen percent shall be distributed to cities ratably based on
26 population as last determined by the office of financial management,
27 but no city may receive less than one thousand dollars.

28 The moneys deposited in the municipal criminal justice assistance
29 account for distribution under this subsection shall be distributed
30 (~~at such times as distributions are made under RCW 82.44.150~~) on
31 January 1st, April 1st, July 1st, and October 1st of each year.

32 Moneys distributed under this subsection shall be expended
33 exclusively for criminal justice purposes and shall not be used to
34 replace or supplant existing funding. Criminal justice purposes are
35 defined as activities that substantially assist the criminal justice
36 system, which may include circumstances where ancillary benefit to the
37 civil justice system occurs, and which includes domestic violence
38 services such as those provided by domestic violence programs,

1 community advocates, and legal advocates, as defined in RCW 70.123.020.
2 Existing funding for purposes of this subsection is defined as calendar
3 year 1989 actual operating expenditures for criminal justice purposes.
4 Calendar year 1989 actual operating expenditures for criminal justice
5 purposes exclude the following: Expenditures for extraordinary events
6 not likely to reoccur, changes in contract provisions for criminal
7 justice services, beyond the control of the local jurisdiction
8 receiving the services, and major nonrecurring capital expenditures.

9 (2) In addition to the distributions under subsection (1) of this
10 section:

11 (a) Fourteen percent shall be distributed to cities that have
12 initiated innovative law enforcement strategies, including alternative
13 sentencing and crime prevention programs. No city may receive more
14 than one dollar per capita under this subsection (2)(a).

15 (b) Twenty percent shall be distributed to cities that have
16 initiated programs to help at-risk children or child abuse victim
17 response programs. No city may receive more than fifty cents per
18 capita under this subsection (2)(b).

19 (c) Twenty percent shall be distributed to cities that have
20 initiated programs designed to reduce the level of domestic violence
21 within their jurisdictions or to provide counseling for domestic
22 violence victims. No city may receive more than fifty cents per capita
23 under this subsection (2)(c).

24 (d) Ten percent shall be distributed to cities that contract with
25 another governmental agency for a majority of the city's law
26 enforcement services.

27 Moneys distributed under this subsection shall be distributed to
28 those cities that submit funding requests under this subsection to the
29 department of community, trade, and economic development based on
30 criteria developed under RCW 82.14.335. Allocation of funds shall be
31 in proportion to the population of qualified jurisdictions, but the
32 distribution to a city shall not exceed the amount of funds requested.
33 Cities shall submit requests for program funding to the department of
34 community, trade, and economic development by November 1 of each year
35 for funding the following year. The department shall certify to the
36 state treasurer the cities eligible for funding under this subsection
37 and the amount of each allocation.

1 The moneys deposited in the municipal criminal justice assistance
2 account for distribution under this subsection, less any moneys
3 appropriated for purposes under subsection (4) of this section, shall
4 be distributed (~~((at the times as distributions are made under RCW~~
5 ~~82.44.150))~~ on January 1st, April 1st, July 1st, and October 1st of
6 each year. Moneys remaining undistributed under this subsection at the
7 end of each calendar year shall be distributed to the criminal justice
8 training commission to reimburse participating city law enforcement
9 agencies with ten or fewer full-time commissioned patrol officers the
10 cost of temporary replacement of each officer who is enrolled in basic
11 law enforcement training, as provided in RCW 43.101.200.

12 If a city is found by the state auditor to have expended funds
13 received under this subsection in a manner that does not comply with
14 the criteria under which the moneys were received, the city shall be
15 ineligible to receive future distributions under this subsection until
16 the use of the moneys are justified to the satisfaction of the director
17 or are repaid to the state general fund. The director may allow
18 noncomplying use of moneys received under this subsection upon a
19 showing of hardship or other emergent need.

20 (3) Notwithstanding other provisions of this section, the
21 distributions to any city that substantially decriminalizes or repeals
22 its criminal code after July 1, 1990, and that does not reimburse the
23 county for costs associated with criminal cases under RCW 3.50.800 or
24 3.50.805(2), shall be made to the county in which the city is located.

25 (4) Not more than five percent of the funds deposited to the
26 municipal criminal justice assistance account shall be available for
27 appropriations for enhancements to the state patrol crime laboratory
28 system and the continuing costs related to these enhancements. Funds
29 appropriated from this account for such enhancements shall not supplant
30 existing funds from the state general fund.

31 NEW SECTION. **Sec. 8.** A new section is added to chapter 82.32 RCW
32 to read as follows:

33 (1) An amount equal to four hundred fifty-four one-thousandths of
34 one percent of all sales and use taxes paid under chapters 82.08 and
35 82.12 RCW shall be deposited into the county public health account
36 under RCW 70.05.125.

1 (2) An amount equal to two hundred thirty-five one-thousandths of
2 one percent of all sales and use taxes paid under chapters 82.08 and
3 82.12 RCW shall be deposited into the county sales and use tax
4 equalization account under RCW 82.14.200.

5 (3) An amount equal to seven hundred seventy-three one-thousandths
6 of one percent of all sales and use taxes paid under chapters 82.08 and
7 82.12 RCW shall be deposited into the municipal sales and use tax
8 equalization account under RCW 82.14.210.

9 (4) An amount equal to five hundred thirty-five one-thousandths of
10 one percent of all sales and use taxes paid under chapters 82.08 and
11 82.12 RCW shall be deposited into the county criminal justice
12 assistance account for distribution under RCW 82.14.310.

13 (5) An amount equal to one hundred seven one-thousandths of one
14 percent of all sales and use taxes paid under chapters 82.08 and 82.12
15 RCW shall be deposited into the municipal criminal justice assistance
16 account for distribution under RCW 82.14.320.

17 (6) An amount equal to one hundred seven one-thousandths of one
18 percent of all sales and use taxes paid under chapters 82.08 and 82.12
19 RCW shall be deposited into the municipal criminal justice assistance
20 account for distribution under RCW 82.14.330.

21 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and takes effect
24 immediately.

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