
SENATE BILL 5500

State of Washington 58th Legislature 2003 Regular Session

By Senators Johnson, Haugen, Esser, Thibaudeau, McCaslin and Horn

Read first time 01/28/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to interlocal agreements for court services among
2 municipalities; and amending RCW 3.50.020 and 3.50.805.

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

4 **Sec. 1.** RCW 3.50.020 and 2000 c 111 s 6 are each amended to read
5 as follows:

6 The municipal court shall have exclusive original jurisdiction over
7 traffic infractions arising under city ordinances and exclusive
8 original criminal jurisdiction of all violations of city ordinances
9 duly adopted by the city (~~in which the municipal court is located~~)
10 and shall have original jurisdiction of all other actions brought to
11 enforce or recover license penalties or forfeitures declared or given
12 by such ordinances or by state statutes. Any municipality may operate
13 a municipal court under this chapter with one or more other
14 municipalities, pursuant to an interlocal agreement under chapter 39.34
15 RCW. Municipal courts operating under any such interlocal agreements
16 shall have exclusive original criminal and other jurisdiction as set
17 forth in this section. The municipal court shall also have the
18 jurisdiction as conferred by statute. The municipal court is empowered
19 to forfeit cash bail or bail bonds and issue execution thereon; and in

1 general to hear and determine all causes, civil or criminal, including
2 traffic infractions, arising under such ordinances and to pronounce
3 judgment in accordance therewith. A municipal court participating in
4 the program established by the office of the administrator for the
5 courts pursuant to RCW 2.56.160 shall have jurisdiction to take
6 recognizance, approve bail, and arraign defendants held within its
7 jurisdiction on warrants issued by any court of limited jurisdiction
8 participating in the program.

9 **Sec. 2.** RCW 3.50.805 and 1984 c 258 s 203 are each amended to read
10 as follows:

11 (1) A municipality operating a municipal court under this chapter
12 shall not terminate that court unless the municipality has reached an
13 agreement with the appropriate county or another municipality under
14 chapter 39.34 RCW under which the county or municipality is to be paid
15 a reasonable amount for costs associated with prosecution,
16 adjudication, and sentencing in (~~criminal~~) all cases filed in
17 district or municipal court as a result of the termination. The
18 agreement shall provide for periodic review and renewal of the terms of
19 the agreement. If the municipality and the county or municipality are
20 unable to agree on the terms for renewal of the agreement, they shall
21 be deemed to have entered into an agreement to submit the issue to
22 arbitration under chapter 7.04 RCW. Pending conclusion of the
23 arbitration proceeding, the terms of the agreement shall remain in
24 effect. The municipality and the county or municipality have the same
25 rights and are subject to the same duties as other parties who have
26 agreed to submit to arbitration under chapter 7.04 RCW. A municipality
27 that has entered into agreements with other municipalities that have
28 terminated their municipal courts may not thereafter terminate its
29 court unless each municipality has reached an agreement with the
30 appropriate county in accordance with this section.

31 (2) A municipality operating a municipal court under this chapter
32 may not repeal in its entirety that portion of its municipal code
33 defining crimes while retaining the court's authority to hear and
34 determine traffic infractions under chapter 46.63 RCW unless the
35 municipality has reached an agreement with the county under chapter
36 39.34 RCW under which the county is to be paid a reasonable amount for
37 costs associated with prosecution, adjudication, and sentencing in

1 criminal cases filed in district court as a result of the repeal. The
2 agreement shall provide for periodic review and renewal of the terms of
3 the agreement. If the municipality and the county are unable to agree
4 on the terms for renewal of the agreement, they shall be deemed to have
5 entered into an agreement to submit the issue to arbitration under
6 chapter 7.04 RCW. Pending conclusion of the arbitration proceeding,
7 the terms of the agreement shall remain in effect. The municipality
8 and the county have the same rights and are subject to the same duties
9 as other parties who have agreed to submit to arbitration under chapter
10 7.04 RCW.

11 (3) A municipality operating a municipal court under this chapter
12 may not repeal a provision of its municipal code which defines a crime
13 equivalent to an offense listed in RCW 46.63.020 unless the
14 municipality has reached an agreement with the county under chapter
15 39.34 RCW under which the county is to be paid a reasonable amount for
16 costs associated with prosecution, adjudication, and sentencing in
17 criminal cases filed in district court as a result of the repeal. The
18 agreement shall provide for periodic review and renewal of the terms of
19 the agreement. If the municipality and the county are unable to agree
20 on the terms for renewal of the agreement, they shall be deemed to have
21 entered into an agreement to submit the issue to arbitration under
22 chapter 7.04 RCW. Pending conclusion of the arbitration proceeding,
23 the terms of the agreement shall remain in effect. The municipality
24 and the county have the same rights and are subject to the same duties
25 as other parties who have agreed to submit to arbitration under chapter
26 7.04 RCW.

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