

SENATE BILL REPORT

SB 5542

As Reported By Senate Committee On:
Human Services & Corrections, February 24, 2005

Title: An act relating to alternative detention and rehabilitation facilities for cities and counties.

Brief Description: Authorizing alternative detention and rehabilitation facilities. [Revised for 1st Substitute: Authorizing special detention facilities.]

Sponsors: Senators Carrell, Hargrove, Zarelli, Benson, Delvin, Schoesler and Benton.

Brief History:

Committee Activity: Human Services & Corrections: 1/31/05, 2/24/05 [DPS-WM, w/oRec].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5542 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Brandland, Carrell and McAuliffe.

Minority Report: That it be referred without recommendation.

Signed by Senator Regala, Vice Chair.

Staff: Fara Daun (786-7459)

Background: Current law defines several types of facilities for holding offenders. These include holding facility, detention facility, special detention facility, correctional facility, and jail. Jail is the broadest term and encompasses all of the other types of facilities. Correctional facilities and special detention facilities are for confining sentenced persons with terms of confinement that do not exceed one year. Special detention facilities are minimum security facilities. The other types of facilities can be used for the temporary or short term confinement of persons either prior to trial or serving shorter sentences.

Summary of Substitute Bill: Special detention facilities may also have a population of low-risk detainees who have not yet been convicted or sentenced.

Retail sales and use taxes do not apply to items that become components of special detention facilities or the labor and services rendered for construction, repair, decorating or improving the facility. Persons taking tax exemptions under these provisions must keep records to verify eligibility for the exemption.

Substitute Bill Compared to Original Bill: Instead of creating a new class of facility, it amends the definition of special detention facility to include pretrial detainees and then amends the remainder of the bill, including the title, to reflect the change.

Appropriation: None.

Fiscal Note: Requested on January 27, 2005.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on August 1 ,2005.

Testimony For: This idea came from a police officer to help reduce the cost of incarceration to local government. There are over 300,000 outstanding warrants that are not being served, in part because there is no place to put the people. This bill would work together with another bill that would allow bail enforcement personnel to bring people in under these warrants. Most of these people don't require high levels of security and there is no particular type of building specified so that local governments would have flexibility as well as authority.

Testimony Against: None.

Who Testified: PRO: Senator Mike Carrell, prime sponsor.