

# SENATE BILL REPORT

## SB 6492

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As Reported By Senate Committee On:  
Judiciary, February 2, 2006

**Title:** An act relating to conversion of legal financial obligations to community restitution.

**Brief Description:** Authorizing conversion of legal financial obligations to community restitution.

**Sponsors:** Senators Kline, Franklin, Kohl-Welles and Oke.

**Brief History:**

**Committee Activity:** Judiciary: 1/24/06, 2/2/06 [DP, w/oRec].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Hargrove, Rasmussen and Thibaudeau.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Johnson, Ranking Minority Member; and Esser.

**Staff:** Aldo Melchiori (786-7439)

**Background:** Whenever a person is convicted, the court may order the payment of legal financial obligations (LFO's) as part of a sentence. These may include fines, costs, assessments, restitution, and the cost of incarceration if the offender has the ability to pay. "Restitution" is a specific sum of money to be paid as payment for damages, including public or private costs. "Community restitution" is compulsory service, without compensation, for the benefit of the community.

**Summary of Bill:** If the offender has been ordered to pay LFO's, as a result of a felony offense, they may be converted to community restitution if there has been a change in circumstances such that the offender cannot reasonably pay. The LFO is converted at the prevailing state minimum wage per hour. The ability to convert does not apply to restitution.

**Appropriation:** None.

**Fiscal Note:** Requested on January 21, 2006.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** This bill will not affect the ability to collect restitution ordered by the court to compensate the victim of the crime. The offender will have the burden of proving that he or she has no ability to pay.

**Testimony Against:** The definition of victim restitution needs refinement. Even portions of other LFOs get channeled into accounts that benefit victims.

**Who Testified:** PRO: Senator Kline, prime sponsor.

CON: Dave Johnson, Washington Coalition of Crime Victim Advocates.