

# FINAL BILL REPORT

## SB 5429

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C 365 L 07  
Synopsis as Enacted

**Brief Description:** Concerning deductions from moneys received by an inmate.

**Sponsors:** Senators Franklin and Kohl-Welles.

**Senate Committee on Human Services & Corrections**  
**House Committee on Human Services**

**Background:** When an inmate receives funds while incarcerated, those funds are subject to the deductions and priorities provided in statute. With the exception of inmates sentenced to life imprisonment or death, the deductions from funds received by an inmate from sources other than wages or legal awards or settlements, are as follows:

- 5 percent to the public safety and education account for crime victims' compensation;
- 10 percent to Department of Corrections (DOC) for the personal inmate savings account;
- 20 percent to DOC for the cost of incarceration;
- 20 percent for the payment of legal financial obligations; and
- 15 percent for any child support owed under a support order.

The Department of Social and Health Services, Division of Child Support (DCS) is specifically given authority to take independent collection action against an inmate's money, assets, or property. If an inmate is entitled to receive funds from a specific source, such as an inheritance, DCS can take collection action before the funds are received by DOC. In this event, the entire amount of the funds could be collected for child support.

**Summary:** The statutory deduction for child support is increased from 15 percent to 20 percent of the funds received by an inmate from sources other than wages or legal awards or settlements.

The order of priority for distribution of funds deducted from funds received by an inmate from sources other than wages or as a result of a legal action is changed so that payment to the state is after the payment of legal financial obligations and the payment of child support.

When an inmate who has a child support obligation receives funds from an inheritance, amounts will be deducted to pay the cost of incarceration only after the child support obligation has been paid in full.

**Votes on Final Passage:**

Senate	46	0	
House	96	0	(House amended)
Senate	45	0	(Senate concurred)

**Effective:** July 22, 2007