
HOUSE BILL 3044

State of Washington

61st Legislature

2010 Regular Session

By Representatives Williams and Darneille; by request of Department of Corrections

Read first time 01/21/10. Referred to Committee on Human Services.

1 AN ACT Relating to tolling of term of confinement or supervision;
2 amending RCW 9.94A.171; and providing an effective date.

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

4 **Sec. 1.** RCW 9.94A.171 and 2008 c 231 s 28 are each amended to read
5 as follows:

6 (1) A term of confinement ordered in a sentence pursuant to this
7 chapter shall be tolled by any period of time during which the offender
8 has absented himself or herself from confinement without the prior
9 approval of the entity in whose custody the offender has been placed.
10 A term of partial confinement shall be tolled during any period of time
11 spent in total confinement pursuant to a new conviction (~~or pursuant~~
12 ~~to sanctions for violation of sentence conditions on a separate felony~~
13 ~~conviction)).~~

14 (2) Any term of community custody shall be tolled by any period of
15 time during which the offender has absented himself or herself from
16 supervision without prior approval of the entity under whose
17 supervision the offender has been placed.

18 (3) Any period of community custody shall be tolled during any
19 period of time the offender is in confinement for any reason(~~-~~

1 ~~However, if an~~)), unless the offender is detained pursuant to RCW
2 9.94A.740 or 9.94A.631 ((and is later found not to have violated a
3 condition or requirement of community custody, time spent in
4 confinement due to such detention shall not toll the period of
5 community custody)) on or after July 1, 2010, for the period of time
6 prior to the hearing or for confinement pursuant to sanctions imposed
7 for violation of sentence conditions, in which case, the period of
8 community custody shall not toll. However, sanctions that result in
9 the imposition of the remaining sentence or the original sentence will
10 continue to toll the period of community custody. In addition,
11 inpatient treatment ordered by the court in lieu of jail time shall not
12 toll the period of community custody.

13 (4) For terms of confinement or community custody, the date for the
14 tolling of the sentence shall be established by the entity responsible
15 for the confinement or supervision.

16 (5) For the purposes of this section, "tolling" means the period of
17 time in which community custody or confinement time is paused and for
18 which the offender does not receive credit towards the term ordered.

19 NEW SECTION. Sec. 2. Section 1 of this act takes effect July 1,
20 2010.

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