

FINAL BILL REPORT

SHB 2752

C 50 L 18

Synopsis as Enacted

Brief Description: Concerning issuance of search warrants by district and municipal court judges.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Stanford and Kloba).

House Committee on Judiciary
Senate Committee on Law & Justice

Background:

A district court is a court of limited jurisdiction created by a county. District courts have jurisdiction over gross misdemeanors, misdemeanors, and infractions occurring within the county and may issue protection orders. District courts may also preside over civil cases in which the amount at issue does not exceed \$100,000 and certain other types of cases.

A municipal court is a court of limited jurisdiction created by a city or town. Such a court has jurisdiction over gross misdemeanors, misdemeanors, and infractions occurring within the city or town boundary. Municipal courts can also issue protection orders.

There is one district court, the King County district court, that encompasses all or part of more than one county. There are six cities in the state, Auburn, Bothell, Coulee Dam, Milton, Pacific, and Woodland, that straddle more than one county. Three of these cities, Bothell, Milton, and Pacific, have municipal courts.

Article I, section 7 of the Washington Constitution provides that "[n]o person shall be disturbed in his private affairs, or his home invaded, without authority of law." This privacy protection limits the government's authority to conduct searches and seizures. As a general rule, a search or seizure may be conducted only pursuant to a warrant that is based upon probable cause and issued by a detached and neutral judge.

Any district or municipal court judge in the county in which the offense is alleged to have occurred may issue a search warrant for any person or evidence located anywhere within the state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary:

Judges in district and municipal courts with jurisdiction encompassing all or part of more than one county may issue state-wide search warrants with respect to offenses allegedly occurring in any of the counties encompassed within that court's jurisdiction.

Votes on Final Passage:

House	95	0
Senate	48	1

Effective: June 7, 2018