

FINAL BILL REPORT

HB 2034

C 61 L 24

Synopsis as Enacted

Brief Description: Requiring counties and cities to provide the administrative office of the courts with notice of court reorganizations.

Sponsors: Representatives Cheney, Taylor, Leavitt, Ramos, Reed and Reeves; by request of Administrative Office of the Courts.

House Committee on Civil Rights & Judiciary
Senate Committee on Law & Justice

Background:

Each county, city, and town is responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions. Municipalities must carry out these responsibilities through the use of their own courts, staff, and facilities, or by entering into contracts or interlocal agreements to provide these services. Municipal courts have exclusive original jurisdiction over traffic infractions arising under city ordinances, all violations of city ordinances, and other actions brought to enforce or recover license penalties or forfeitures authorized by ordinances or statutes.

For a municipal court to be terminated, the municipality must reach an agreement with the appropriate county or another municipality to assume the responsibilities of the court. A city or town electing to terminate a municipal court may do so by adoption of an ordinance and complying with the following requirements:

- reaching an agreement with the appropriate county or another municipality on a reasonable amount for costs associated with prosecution, adjudication, and sentencing in criminal cases filed in district or municipal court as a result of the termination;
- providing sufficient written notice of the intent to terminate the agreement to the county legislative authority; and
- ensuring that traffic infractions provided for in statute are enforced by the appropriate county or municipality.

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

For a county to terminate an agreement with a city for the provision of court services, the county must provide written notice of the intent to terminate the agreement to the city legislative authority at least one year prior to the expiration of the agreement.

Summary:

A new municipal court established pursuant to law does not have jurisdiction over any matter until six months after a notice of intent to create the new municipal court is sent to the Administrative Office of the Courts.

A municipality may terminate a municipal court, if the municipality also provides a written notice of the intent to terminate to the Administrative Office of the Courts at least six months prior to the termination. For a municipality or a county to terminate an agreement for the provision of court services, the city or county must also provide a written notice of the intent to terminate the agreement to the Administrative Office of the Courts at least one year prior to the expiration of the agreement.

Votes on Final Passage:

House	97	0
Senate	49	0

Effective: June 6, 2024