
HOUSE BILL 1428

State of Washington

69th Legislature

2025 Regular Session

By Representatives Rule, Richards, Timmons, Walen, Bergquist, Shavers, Pollet, and Leavitt

Read first time 01/20/25. Referred to Committee on Appropriations.

1 AN ACT Relating to the county criminal justice assistance account
2 and municipal criminal justice assistance account; and amending RCW
3 82.14.310, 82.14.320, and 82.14.330.

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

5 **Sec. 1.** RCW 82.14.310 and 2022 c 157 s 21 are each amended to
6 read as follows:

7 (1) The county criminal justice assistance account is created in
8 the state treasury.

9 (a) Beginning in fiscal year 2000, the state treasurer must
10 transfer into the county criminal justice assistance account from the
11 general fund the sum of (~~(\$23,200,000)~~) \$50,000,000 divided into four
12 equal deposits occurring on July 1, October 1, January 1, and April
13 1. For each fiscal year thereafter, the state treasurer must increase
14 the total transfer by the fiscal growth factor, as defined in RCW
15 43.135.025, forecast for that fiscal year by the office of financial
16 management in November of the preceding year.

17 (b) Beginning in fiscal year 2026, the amount that would be
18 otherwise transferred into the county criminal justice assistance
19 account from the general fund under (a) of this subsection must
20 increase by 50 percent. For each fiscal year thereafter, the state

1 treasurer must increase the total transfer by the fiscal growth
2 factor, as provided under (a) of this subsection.

3 (2) The moneys deposited in the county criminal justice
4 assistance account for distribution under this section, less any
5 moneys appropriated for purposes under subsections (4) and (5) of
6 this section, must be distributed at such times as distributions are
7 made under RCW 82.44.150 and on the relative basis of each county's
8 funding factor as determined under this subsection.

9 (a) A county's funding factor is the sum of:

10 (i) The population of the county, divided by 1,000, and
11 multiplied by two-tenths;

12 (ii) The crime rate of the county, multiplied by three-tenths;
13 and

14 (iii) The annual number of criminal cases filed in the county
15 superior court, for each 1,000 in population, multiplied by five-
16 tenths.

17 (b) Under this section and RCW 82.14.320 and 82.14.330:

18 (i) The population of the county or city is as last determined by
19 the office of financial management;

20 (ii) The crime rate of the county or city is the annual
21 occurrence of specified criminal offenses, as calculated in the most
22 recent annual report on crime in Washington state as published by the
23 Washington association of sheriffs and police chiefs, for each 1,000
24 in population;

25 (iii) The annual number of criminal cases filed in the county
26 superior court must be determined by the most recent annual report of
27 the courts of Washington, as published by the administrative office
28 of the courts;

29 (iv) Distributions and eligibility for distributions in the
30 1989-1991 biennium must be based on 1988 figures for both the crime
31 rate as described under (b)(ii) of this subsection and the annual
32 number of criminal cases that are filed as described under (b)(iii)
33 of this subsection. Future distributions must be based on the most
34 recent figures for both the crime rate as described under (b)(ii) of
35 this subsection and the annual number of criminal cases that are
36 filed as described under (b)(iii) of this subsection.

37 (3) Moneys distributed under this section must be expended
38 exclusively for criminal justice purposes. (~~Except after May 13,~~
39 ~~2021, through December 31, 2023, these~~) These funds may not be used
40 to replace or supplant existing funding. Criminal justice purposes

1 are defined as activities that substantially assist the criminal
2 justice system, which may include circumstances where ancillary
3 benefit to the civil or juvenile justice system occurs, and which
4 includes (a) domestic violence services such as those provided by
5 domestic violence programs, community advocates, and legal advocates,
6 as defined in RCW 70.123.020, and (b) during the 2001-2003 fiscal
7 biennium, juvenile dispositional hearings relating to petitions for
8 at-risk youth, truancy, and children in need of services. Existing
9 funding for purposes of this subsection is defined as calendar year
10 1989 actual operating expenditures for criminal justice purposes.
11 Calendar year 1989 actual operating expenditures for criminal justice
12 purposes exclude the following: Expenditures for extraordinary events
13 not likely to reoccur, changes in contract provisions for criminal
14 justice services, beyond the control of the local jurisdiction
15 receiving the services, and major nonrecurring capital expenditures.

16 (4) Not more than five percent of the funds deposited to the
17 county criminal justice assistance account may be available for
18 appropriations for enhancements to the state patrol crime laboratory
19 system and the continuing costs related to these enhancements. Funds
20 appropriated from this account for such enhancements may not supplant
21 existing funds from the state general fund.

22 (5) Each fiscal biennium, the sum of \$510,000, may be
23 appropriated for the Washington state patrol to provide investigative
24 assistance and report services to assist local law enforcement
25 agencies to prosecute criminals.

26 **Sec. 2.** RCW 82.14.320 and 2021 c 296 s 3 are each amended to
27 read as follows:

28 (1) The municipal criminal justice assistance account is created
29 in the state treasury.

30 (a) Beginning in fiscal year 2000, the state treasurer must
31 transfer into the municipal criminal justice assistance account for
32 distribution under this section from the general fund the sum of
33 (~~(\$4,600,000)~~) \$50,000,000 divided into four equal deposits occurring
34 on July 1, October 1, January 1, and April 1. For each fiscal year
35 thereafter, the state treasurer must increase the total transfer by
36 the fiscal growth factor, as defined in RCW 43.135.025, forecast for
37 that fiscal year by the office of financial management in November of
38 the preceding year.

1 (b) Beginning in fiscal year 2026, the amount that would be
2 otherwise transferred into the municipal criminal justice assistance
3 account from the general fund under (a) of this subsection must
4 increase by 50 percent. For each fiscal year thereafter, the state
5 treasurer must increase the total transfer by the fiscal growth
6 factor, as provided under (a) of this subsection.

7 (2) No city may receive a distribution under this section from
8 the municipal criminal justice assistance account unless((~~+~~

9 ~~(a) The~~) the city has a crime rate in excess of 125 percent of
10 the statewide average as calculated in the most recent annual report
11 on crime in Washington state as published by the Washington
12 association of sheriffs and police chiefs(~~(+~~

13 ~~(b) The city has levied the tax authorized in RCW 82.14.030(2) at~~
14 ~~the maximum rate or the tax authorized in RCW 82.46.010(3) at the~~
15 ~~maximum rate; and~~

16 ~~(c) The city has a per capita yield from the tax imposed under~~
17 ~~RCW 82.14.030(1) at the maximum rate of less than 150 percent of the~~
18 ~~statewide average per capita yield for all cities from such local~~
19 ~~sales and use tax)).~~

20 (3) The moneys deposited in the municipal criminal justice
21 assistance account for distribution under this section, less any
22 moneys appropriated for purposes under subsection (7) of this
23 section, must be distributed at such times as distributions are made
24 under RCW 82.44.150. The distributions must be made as follows:

25 (a) Unless reduced by this subsection, 30 percent of the moneys
26 must be distributed ratably based on population as last determined by
27 the office of financial management to those cities eligible under
28 subsection (2) of this section that have a crime rate (~~determined~~
29 ~~under subsection (2)(a) of this section~~) which is greater than 175
30 percent of the statewide average crime rate. No city may receive more
31 than 50 percent of any moneys distributed under this subsection
32 (~~(+3+)~~) (3)(a) but, if a city distribution is reduced as a result
33 of exceeding the 50 percent limitation, the amount not distributed
34 must be distributed under (b) of this subsection.

35 (b) The remainder of the moneys, including any moneys not
36 distributed in subsection (2)(~~(a)~~) of this section, must be
37 distributed to all cities eligible under subsection (2) of this
38 section ratably based on population as last determined by the office
39 of financial management.

1 (4) No city may receive more than 30 percent of all moneys
2 distributed under subsection (3) of this section.

3 (5) Notwithstanding other provisions of this section, the
4 distributions to any city that substantially decriminalizes or
5 repeals its criminal code after July 1, 1990, and that does not
6 reimburse the county for costs associated with criminal cases under
7 RCW 3.50.800 or 3.50.805(2), must be made to the county in which the
8 city is located.

9 (6) Moneys distributed under this section must be expended
10 exclusively for criminal justice purposes. (~~Except after May 13,~~
11 ~~2021, through December 31, 2023, these~~) These funds may not be used
12 to replace or supplant existing funding. Criminal justice purposes
13 are defined as activities that substantially assist the criminal
14 justice system, which may include circumstances where ancillary
15 benefit to the civil justice system occurs, and which includes
16 domestic violence services such as those provided by domestic
17 violence programs, community advocates, and legal advocates, as
18 defined in RCW 70.123.020, and publications and public educational
19 efforts designed to provide information and assistance to parents in
20 dealing with runaway or at-risk youth. Existing funding for purposes
21 of this subsection is defined as calendar year 1989 actual operating
22 expenditures for criminal justice purposes. Calendar year 1989 actual
23 operating expenditures for criminal justice purposes exclude the
24 following: Expenditures for extraordinary events not likely to
25 reoccur, changes in contract provisions for criminal justice
26 services, beyond the control of the local jurisdiction receiving the
27 services, and major nonrecurring capital expenditures.

28 (7) Not more than five percent of the funds deposited to the
29 municipal criminal justice assistance account may be available for
30 appropriations for enhancements to the state patrol crime laboratory
31 system and the continuing costs related to these enhancements. Funds
32 appropriated from this account for such enhancements may not supplant
33 existing funds from the state general fund.

34 (~~(8) During the 2011-2013 fiscal biennium, the amount that would~~
35 ~~otherwise be transferred into the municipal criminal justice~~
36 ~~assistance account from the general fund under subsection (1) of this~~
37 ~~section must be reduced by 3.4 percent.~~)

38 **Sec. 3.** RCW 82.14.330 and 2021 c 296 s 4 are each amended to
39 read as follows:

1 (1)(a) Beginning in fiscal year 2000, the state treasurer must
2 transfer into the municipal criminal justice assistance account for
3 distribution under this section from the general fund the sum of
4 (~~(\$4,600,000)~~) \$50,000,000 divided into four equal deposits occurring
5 on July 1, October 1, January 1, and April 1. For each fiscal year
6 thereafter, the state treasurer must increase the total transfer by
7 the fiscal growth factor, as defined in RCW 43.135.025, forecast for
8 that fiscal year by the office of financial management in November of
9 the preceding year. Beginning in fiscal year 2026, the amount that
10 would be otherwise transferred into the municipal criminal justice
11 assistance account from the general fund under this subsection (1)(a)
12 must increase by 50 percent. For each fiscal year thereafter, the
13 state treasurer must increase the total transfer by the fiscal growth
14 factor, as provided under this subsection (1)(a). The moneys
15 deposited in the municipal criminal justice assistance account for
16 distribution under this section, less any moneys appropriated for
17 purposes under subsection (4) of this section, must be distributed to
18 the cities of the state as follows:

19 (i) 20 percent appropriated for distribution must be distributed
20 to cities with a three-year average violent crime rate for each 1,000
21 in population in excess of 150 percent of the statewide three-year
22 average violent crime rate for each 1,000 in population. The three-
23 year average violent crime rate must be calculated using the violent
24 crime rates for each of the preceding three years from the annual
25 reports on crime in Washington state as published by the Washington
26 association of sheriffs and police chiefs. Moneys must be distributed
27 under this subsection (1)(a) ratably based on population as last
28 determined by the office of financial management, but no city may
29 receive more than one dollar per capita. Moneys remaining
30 undistributed under this subsection at the end of each calendar year
31 must be distributed to the criminal justice training commission to
32 reimburse participating city law enforcement agencies with 10 or
33 fewer full-time commissioned patrol officers the cost of temporary
34 replacement of each officer who is enrolled in basic law enforcement
35 training, as provided in RCW 43.101.200.

36 (ii) 16 percent must be distributed to cities ratably based on
37 population as last determined by the office of financial management,
38 but no city may receive less than \$1,000.

39 (b) The moneys deposited in the municipal criminal justice
40 assistance account for distribution under this subsection (1) must be

1 distributed at such times as distributions are made under RCW
2 82.44.150.

3 (c) Moneys distributed under this subsection (1) must be expended
4 exclusively for criminal justice purposes. (~~Except after May 13,~~
5 ~~2021, through December 31, 2023, these~~) These funds may not be used
6 to replace or supplant existing funding. Criminal justice purposes
7 are defined as activities that substantially assist the criminal
8 justice system, which may include circumstances where ancillary
9 benefit to the civil justice system occurs, and which includes
10 domestic violence services such as those provided by domestic
11 violence programs, community advocates, and legal advocates, as
12 defined in RCW 70.123.020. Existing funding for purposes of this
13 subsection is defined as calendar year 1989 actual operating
14 expenditures for criminal justice purposes. Calendar year 1989 actual
15 operating expenditures for criminal justice purposes exclude the
16 following: Expenditures for extraordinary events not likely to
17 reoccur, changes in contract provisions for criminal justice
18 services, beyond the control of the local jurisdiction receiving the
19 services, and major nonrecurring capital expenditures.

20 (2)(a) In addition to the distributions under subsection (1) of
21 this section:

22 (i) 10 percent must be distributed on a per capita basis to
23 cities that contract with another governmental agency for the
24 majority of the city's law enforcement services. Cities that
25 subsequently qualify for this distribution must notify the department
26 of commerce by November 30th for the upcoming calendar year. The
27 department of commerce must provide a list of eligible cities to the
28 state treasurer by December 31st. The state treasurer must modify the
29 distribution of these funds in the following year. Cities have the
30 responsibility to notify the department of commerce of any changes
31 regarding these contractual relationships. Adjustments in the
32 distribution formula to add or delete cities may be made only for the
33 upcoming calendar year; no adjustments may be made retroactively.

34 (ii) The remaining 54 percent must be distributed to cities and
35 towns by the state treasurer on a per capita basis. These funds must
36 be used for: (A) Innovative law enforcement strategies; (B) programs
37 to help at-risk children or child abuse victim response programs; and
38 (C) programs designed to reduce the level of domestic violence or to
39 provide counseling for domestic violence victims.

1 (b) The moneys deposited in the municipal criminal justice
2 assistance account for distribution under this subsection (2), less
3 any moneys appropriated for purposes under subsection (4) of this
4 section, must be distributed at the times as distributions are made
5 under RCW 82.44.150. Moneys remaining undistributed under this
6 subsection at the end of each calendar year must be distributed to
7 the criminal justice training commission to reimburse participating
8 city law enforcement agencies with 10 or fewer full-time commissioned
9 patrol officers the cost of temporary replacement of each officer who
10 is enrolled in basic law enforcement training, as provided in RCW
11 43.101.200.

12 (c) If a city is found by the state auditor to have expended
13 funds received under this subsection (2) in a manner that does not
14 comply with the criteria under which the moneys were received, the
15 city is ineligible to receive future distributions under this
16 subsection (2) until the use of the moneys are justified to the
17 satisfaction of the director or are repaid to the state general fund.

18 (3) Notwithstanding other provisions of this section, the
19 distributions to any city that substantially decriminalizes or
20 repeals its criminal code after July 1, 1990, and that does not
21 reimburse the county for costs associated with criminal cases under
22 RCW 3.50.800 or 3.50.805(2), must be made to the county in which the
23 city is located.

24 (4) Not more than five percent of the funds deposited to the
25 municipal criminal justice assistance account may be available for
26 appropriations for enhancements to the state patrol crime laboratory
27 system and the continuing costs related to these enhancements. Funds
28 appropriated from this account for such enhancements may not supplant
29 existing funds from the state general fund.

30 ~~((5) During the 2011-2013 fiscal biennium, the amount that would
31 otherwise be transferred into the municipal criminal justice
32 assistance account from the general fund under subsection (1) of this
33 section must be reduced by 3.4 percent.))~~

--- END ---