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HOUSE BILL 2613

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State of Washington

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By Representatives Tate, Hargrove, Winsley, Riley, Casada, Ferguson, Mitchell, Betrozoff, D. Sommers, Wynne and P. Johnson

Read first time 01/22/92. Referred to Committee on Human Services.

1 AN ACT Relating to community corrections offices; amending RCW  
2 72.09.340 and 36.70A.200; adding a new section to chapter 35.63 RCW;  
3 adding a new section to chapter 35A.63 RCW; and adding a new section to  
4 chapter 36.70 RCW.

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

6 **Sec. 1.** RCW 72.09.340 and 1990 c 3 s 708 are each amended to read  
7 as follows:

8 (1) In making all discretionary decisions regarding supervision of  
9 sexually violent offenders, the department of corrections shall set  
10 priorities and make decisions based on an assessment of public safety  
11 risks rather than the legal category of the sentences.

12 (2)(a) The department shall not establish new community corrections  
13 offices unless, one hundred twenty days before the proposed opening of  
14 the office, formal notification in writing is provided to the county,

1 city, or town within the planning jurisdiction of which the office is  
2 proposed to be located. The written notification to the local  
3 government shall identify the exact proposed location of the office,  
4 the number of offenders expected to receive services at that location,  
5 and the names and location of residences of sex offenders and violent  
6 offenders who are expected to use the office.

7 (b) The department is required to hold at least one public hearing  
8 within thirty days after the notice of siting has been sent to the  
9 local government.

10 (c) The local government shall formally respond to the written  
11 notice within thirty days after the notice of siting has been sent to  
12 it. In its formal response, the local government shall provide the  
13 department with its decision to allow or deny the proposed community  
14 corrections office site. If the local government denies the proposed  
15 site, it shall also provide the department with supporting information  
16 regarding the community's concerns with the site. The department and  
17 the local government shall work together to identify three other  
18 optional sites within the boundaries of the local government that are  
19 comparable to the original site. The department shall select a site  
20 based on the original option and the three options identified. A  
21 community corrections office shall be located within the boundaries of  
22 the local government where the siting was originally proposed by the  
23 department within one hundred twenty days after the original siting  
24 notice was received by the local government.

25 (d) If the local government does not respond within thirty days  
26 after the public hearing concerning the proposed site, the community  
27 corrections office shall be opened as scheduled by the department.

28 **Sec. 2.** RCW 36.70A.200 and 1991 sp.s. c 32 s 1 are each amended to  
29 read as follows:

1 (1) The comprehensive plan of each county and city that is planning  
2 under this chapter shall include a process for identifying and siting  
3 essential public facilities. Essential public facilities include those  
4 facilities that are typically difficult to site, such as airports,  
5 state education facilities and state or regional transportation  
6 facilities, state and local correctional facilities, solid waste  
7 handling facilities, and in-patient facilities including substance  
8 abuse facilities, mental health facilities, and group homes.

9 (2) The office of financial management shall maintain a list of  
10 those essential state public facilities that are required or likely to  
11 be built within the next six years. The office of financial management  
12 may at any time add facilities to the list. No local comprehensive  
13 plan or development regulation may preclude the siting of essential  
14 public facilities.

15 (3) Planning actions taken by a county or city under this chapter  
16 are subject to RCW 74.09.340.

17 NEW SECTION. Sec. 3. A new section is added to chapter 35.63 RCW  
18 to read as follows:

19 Planning and zoning actions taken by a county, city, or town under  
20 this chapter are subject to RCW 74.09.340.

21 NEW SECTION. Sec. 4. A new section is added to chapter 35A.63 RCW  
22 to read as follows:

23 Planning and zoning actions taken by a city under this chapter are  
24 subject to RCW 74.09.340.

25 NEW SECTION. Sec. 5. A new section is added to chapter 36.70 RCW  
26 to read as follows:

1 Planning and zoning actions taken by a county under this chapter  
2 are subject to RCW 74.09.340.