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**SUBSTITUTE SENATE BILL 5625**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove and Pridemore)

READ FIRST TIME 02/19/07.

1 AN ACT Relating to contracts for jail services with counties and  
2 cities in adjacent states; and amending RCW 70.48.090.

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

4 **Sec. 1.** RCW 70.48.090 and 2002 c 125 s 1 are each amended to read  
5 as follows:

6 (1) Contracts for jail services may be made between a county and a  
7 city, and among counties and cities. The contracts shall: Be in  
8 writing, give one governing unit the responsibility for the operation  
9 of the jails, specify the responsibilities of each governing unit  
10 involved, and include the applicable charges for custody of the  
11 prisoners as well as the basis for adjustments in the charges. The  
12 contracts may be terminated only by ninety days written notice to the  
13 governing units involved and to the office. The notice shall state the  
14 grounds for termination and the specific plans for accommodating the  
15 affected jail population.

16 (2) A city or county may contract for jail services with an  
17 adjacent county, or city in an adjacent county, in a neighboring state.  
18 A person convicted in the courts of this state and sentenced to a term  
19 of confinement in a city or county jail may be transported to a jail in

1 the adjacent county to be confined until: (a) The term of confinement  
2 is completed; or (b) that person is returned to be confined in a city  
3 or county jail in this state.

4 (3) The contract authorized in subsection (1) of this section shall  
5 be for a minimum term of ten years when state funds are provided to  
6 construct or remodel a jail in one governing unit that will be used to  
7 house prisoners of other governing units. The contract may not be  
8 terminated prior to the end of the term without the office's approval.  
9 If the contract is terminated, or upon the expiration and nonrenewal of  
10 the contract, the governing unit whose jail facility was built or  
11 remodeled to hold the prisoners of other governing units shall pay to  
12 the state treasurer the amount set by the corrections standards board  
13 or office when it authorized disbursement of state funds for the  
14 remodeling or construction under RCW 70.48.120. This amount shall be  
15 deposited in the local jail improvement and construction account and  
16 shall fairly represent the construction costs incurred in order to  
17 house prisoners from other governing units. The office may pay the  
18 funds to the governing units which had previously contracted for jail  
19 services under rules which the office may adopt. The acceptance of  
20 state funds for constructing or remodeling consolidated jail facilities  
21 constitutes agreement to the proportionate amounts set by the office.  
22 Notice of the proportionate amounts shall be given to all governing  
23 units involved.

24 ~~((+3))~~ (4) A city or county primarily responsible for the  
25 operation of a jail or jails may create a department of corrections to  
26 be in charge of such jail and of all persons confined therein by law,  
27 subject to the authority of the governing unit. If such department is  
28 created, it shall have charge of jails and persons confined therein.  
29 If no such department of corrections is created, the chief law  
30 enforcement officer of the city or county primarily responsible for the  
31 operation of said jail shall have charge of the jail and of all persons  
32 confined therein.

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