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By Representatives Couture, Nance, Griffey, Marshall, Connors, Volz, Stuebe, Davis, Low, Rude, Dye, Keaton, Burnett, Penner, Manjarrez, Schmick, Caldier, Fitzgibbon, Klicker, and Mendoza

1 AN ACT Relating to criminal justice and the recovery of firearms
2 used in the commission of a crime; amending RCW 82.14.310, 82.14.320,
3 and 82.14.330; and adding a new section to chapter 10.85 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.85
6 RCW to read as follows:

7 (1) The crime firearm reward program is established to encourage
8 persons to submit information to law enforcement to locate firearms
9 that have been used in the commission of a crime. Any person who
10 submits information to any peace officer, as defined in RCW
11 10.120.010, or to any agency with primary territorial jurisdiction,
12 as defined in RCW 10.93.020, or to an entity that then forwards such
13 information to a peace officer or such agency, that relates to the
14 location of a firearm that has been used in the commission of a
15 felony firearm offense is eligible to receive up to a \$500 cash
16 reward if that firearm is recovered. If the felony firearm offense
17 related to the located firearm resulted in a criminal conviction, the
18 person that submitted information relating to the location of the
19 firearm is eligible to receive up to a \$5,000 cash reward. A reward
20 may not be paid to any law enforcement officer, any person that has
21 an outstanding warrant, or to any federal, state, or local government

1 or agency employee for information obtained by the individual in the
2 normal course of their employment.

3 (2) The cash rewards authorized by this section shall be in
4 accordance with RCW 10.85.050 and paid by the city or county
5 associated with the peace officer or agency with primary territorial
6 jurisdiction that recovered the firearm. Cities and counties may pay
7 the cash rewards authorized in this section from funds received from
8 the county criminal justice assistance account created in RCW
9 82.14.310 and the municipal criminal justice assistance account
10 created in RCW 82.14.320.

11 **Sec. 2.** RCW 82.14.310 and 2022 c 157 s 21 are each amended to
12 read as follows:

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

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

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

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

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

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

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

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

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

6 (iii) The annual number of criminal cases filed in the county
7 superior court must be determined by the most recent annual report of
8 the courts of Washington, as published by the administrative office
9 of the courts;

10 (iv) Distributions and eligibility for distributions in the
11 1989-1991 biennium must be based on 1988 figures for both the crime
12 rate as described under (b)(ii) of this subsection and the annual
13 number of criminal cases that are filed as described under (b)(iii)
14 of this subsection. Future distributions must be based on the most
15 recent figures for both the crime rate as described under (b)(ii) of
16 this subsection and the annual number of criminal cases that are
17 filed as described under (b)(iii) of this subsection.

18 (3) Moneys distributed under this section must be expended
19 exclusively for criminal justice purposes. Except after May 13, 2021,
20 through December 31, 2023, these funds may not be used to replace or
21 supplant existing funding. Criminal justice purposes are defined as
22 activities that substantially assist the criminal justice system,
23 which may include circumstances where ancillary benefit to the civil
24 or juvenile justice system occurs, and which includes (a) domestic
25 violence services such as those provided by domestic violence
26 programs, community advocates, and legal advocates, as defined in RCW
27 70.123.020, and (b) ~~((during the 2001-2003 fiscal biennium, juvenile
28 dispositional hearings relating to petitions for at-risk youth,
29 truancy, and children in need of services))~~ payments made pursuant to
30 section 1 of this act. Existing funding for purposes of this
31 subsection is defined as calendar year 1989 actual operating
32 expenditures for criminal justice purposes. Calendar year 1989 actual
33 operating expenditures for criminal justice purposes exclude the
34 following: Expenditures for extraordinary events not likely to
35 reoccur, changes in contract provisions for criminal justice
36 services, beyond the control of the local jurisdiction receiving the
37 services, and major nonrecurring capital expenditures.

38 (4) Not more than five percent of the funds deposited to the
39 county criminal justice assistance account may be available for
40 appropriations for enhancements to the state patrol crime laboratory

1 system and the continuing costs related to these enhancements. Funds
2 appropriated from this account for such enhancements may not supplant
3 existing funds from the state general fund.

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

8 **Sec. 3.** RCW 82.14.320 and 2021 c 296 s 3 are each amended to
9 read as follows:

10 (1) The municipal criminal justice assistance account is created
11 in the state treasury. Beginning in fiscal year 2000, the state
12 treasurer must transfer into the municipal criminal justice
13 assistance account for distribution under this section from the
14 general fund the sum of \$4,600,000 divided into four equal deposits
15 occurring on July 1, October 1, January 1, and April 1. For each
16 fiscal year thereafter, the state treasurer must increase the total
17 transfer by the fiscal growth factor, as defined in RCW 43.135.025,
18 forecast for that fiscal year by the office of financial management
19 in November of the preceding year.

20 (2) No city may receive a distribution under this section from
21 the municipal criminal justice assistance account unless:

22 (a) The city has a crime rate in excess of 125 percent of the
23 statewide average as calculated in the most recent annual report on
24 crime in Washington state as published by the Washington association
25 of sheriffs and police chiefs;

26 (b) The city has levied the tax authorized in RCW 82.14.030(2) at
27 the maximum rate or the tax authorized in RCW 82.46.010(3) at the
28 maximum rate; and

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

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

38 (a) Unless reduced by this subsection, 30 percent of the moneys
39 must be distributed ratably based on population as last determined by

1 the office of financial management to those cities eligible under
2 subsection (2) of this section that have a crime rate determined
3 under subsection (2)(a) of this section which is greater than 175
4 percent of the statewide average crime rate. No city may receive more
5 than 50 percent of any moneys distributed under this subsection
6 (~~((3))~~) (3)(a) but, if a city distribution is reduced as a result
7 of exceeding the 50 percent limitation, the amount not distributed
8 must be distributed under (b) of this subsection.

9 (b) The remainder of the moneys, including any moneys not
10 distributed in subsection (2)(a) of this section, must be distributed
11 to all cities eligible under subsection (2) of this section ratably
12 based on population as last determined by the office of financial
13 management.

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

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

22 (6) Moneys distributed under this section must be expended
23 exclusively for criminal justice purposes. Except after May 13, 2021,
24 through December 31, 2023, these funds may not be used to replace or
25 supplant existing funding. Criminal justice purposes are defined as
26 activities that substantially assist the criminal justice system,
27 which may include circumstances where ancillary benefit to the civil
28 justice system occurs, and which includes (~~(domestic)~~): (a) Domestic
29 violence services such as those provided by domestic violence
30 programs, community advocates, and legal advocates, as defined in RCW
31 70.123.020(~~, and~~); (b) payments made pursuant to section 1 of this
32 act; and (c) publications and public educational efforts designed to
33 provide information and assistance to parents in dealing with runaway
34 or at-risk youth. Existing funding for purposes of this subsection is
35 defined as calendar year 1989 actual operating expenditures for
36 criminal justice purposes. Calendar year 1989 actual operating
37 expenditures for criminal justice purposes exclude the following:
38 Expenditures for extraordinary events not likely to reoccur, changes
39 in contract provisions for criminal justice services, beyond the

1 control of the local jurisdiction receiving the services, and major
2 nonrecurring capital expenditures.

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

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

13 **Sec. 4.** RCW 82.14.330 and 2021 c 296 s 4 are each amended to
14 read as follows:

15 (1)(a) Beginning in fiscal year 2000, the state treasurer must
16 transfer into the municipal criminal justice assistance account for
17 distribution under this section from the general fund the sum of
18 \$4,600,000 divided into four equal deposits occurring on July 1,
19 October 1, January 1, and April 1. For each fiscal year thereafter,
20 the state treasurer must increase the total transfer by the fiscal
21 growth factor, as defined in RCW 43.135.025, forecast for that fiscal
22 year by the office of financial management in November of the
23 preceding year. The moneys deposited in the municipal criminal
24 justice assistance account for distribution under this section, less
25 any moneys appropriated for purposes under subsection (4) of this
26 section, must be distributed to the cities of the state as follows:

27 (i) 20 percent appropriated for distribution must be distributed
28 to cities with a three-year average violent crime rate for each 1,000
29 in population in excess of 150 percent of the statewide three-year
30 average violent crime rate for each 1,000 in population. The three-
31 year average violent crime rate must be calculated using the violent
32 crime rates for each of the preceding three years from the annual
33 reports on crime in Washington state as published by the Washington
34 association of sheriffs and police chiefs. Moneys must be distributed
35 under this subsection (1)(a) ratably based on population as last
36 determined by the office of financial management, but no city may
37 receive more than one dollar per capita. Moneys remaining
38 undistributed under this subsection at the end of each calendar year
39 must be distributed to the criminal justice training commission to

1 reimburse participating city law enforcement agencies with 10 or
2 fewer full-time commissioned patrol officers the cost of temporary
3 replacement of each officer who is enrolled in basic law enforcement
4 training, as provided in RCW 43.101.200.

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

8 (b) The moneys deposited in the municipal criminal justice
9 assistance account for distribution under this subsection (1) must be
10 distributed at such times as distributions are made under RCW
11 82.44.150.

12 (c) Moneys distributed under this subsection (1) must be expended
13 exclusively for criminal justice purposes. Except after May 13, 2021,
14 through December 31, 2023, these funds may not be used to replace or
15 supplant existing funding. Criminal justice purposes are defined as
16 activities that substantially assist the criminal justice system,
17 which may include circumstances where ancillary benefit to the civil
18 justice system occurs, and which includes domestic violence services
19 such as those provided by domestic violence programs, community
20 advocates, and legal advocates, as defined in RCW 70.123.020; and
21 payments made pursuant to section 1 of this act. Existing funding for
22 purposes of this subsection is defined as calendar year 1989 actual
23 operating expenditures for criminal justice purposes. Calendar year
24 1989 actual operating expenditures for criminal justice purposes
25 exclude the following: Expenditures for extraordinary events not
26 likely to reoccur, changes in contract provisions for criminal
27 justice services, beyond the control of the local jurisdiction
28 receiving the services, and major nonrecurring capital expenditures.

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

31 (i) 10 percent must be distributed on a per capita basis to
32 cities that contract with another governmental agency for the
33 majority of the city's law enforcement services. Cities that
34 subsequently qualify for this distribution must notify the department
35 of commerce by November 30th for the upcoming calendar year. The
36 department of commerce must provide a list of eligible cities to the
37 state treasurer by December 31st. The state treasurer must modify the
38 distribution of these funds in the following year. Cities have the
39 responsibility to notify the department of commerce of any changes
40 regarding these contractual relationships. Adjustments in the

1 distribution formula to add or delete cities may be made only for the
2 upcoming calendar year; no adjustments may be made retroactively.

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

9 (b) The moneys deposited in the municipal criminal justice
10 assistance account for distribution under this subsection (2), less
11 any moneys appropriated for purposes under subsection (4) of this
12 section, must be distributed at the times as distributions are made
13 under RCW 82.44.150. Moneys remaining undistributed under this
14 subsection at the end of each calendar year must be distributed to
15 the criminal justice training commission to reimburse participating
16 city law enforcement agencies with 10 or fewer full-time commissioned
17 patrol officers the cost of temporary replacement of each officer who
18 is enrolled in basic law enforcement training, as provided in RCW
19 43.101.200.

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

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

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

38 (5) During the 2011-2013 fiscal biennium, the amount that would
39 otherwise be transferred into the municipal criminal justice

1 assistance account from the general fund under subsection (1) of this
2 section must be reduced by 3.4 percent.

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