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SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

EMERGENCY ORDINANCE NO. 06-076

RELATING TO COUNTY JAIL FEES, SUSPENDING COLLECTION  
OF JAIL BOOKING FEES UNDER CHAPTER 4.52B SCC, AND  
CONTAINING AN EFFECTIVE DATE

WHEREAS, Chapter 4.52B SCC imposes a booking fee pursuant to RCW 70.48.390; and

WHEREAS, in the case of Huss v. Spokane County, United States District Court, Eastern District of Washington, No. CV-05-180-FVS, the trial court granted partial summary judgment on the ground that RCW 70.48.390 is facially unconstitutional; and

WHEREAS, the Snohomish County Council deems it appropriate to suspend collection of the booking fee;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Chapter 4.52B of the Snohomish County Code, adopted by Ordinance No. 01-042 on July 8, 2001, is amended to read:

**4.52B.020 Booking fee imposed.**

(1) Each person who is booked into the Snohomish County jail shall be assessed a booking fee of ten dollars.

(2) The booking fee shall be paid immediately from any money possessed by that person at time of booking, or from any money deposited with the department of corrections on that person's behalf.

(3) If the person booked into jail has no funds at the time of booking or during the period of incarceration, the director of corrections may notify the court in the county or city where the charges related to the booking are pending and may request that the court assess the fee.

(4) Unless the person is held on other criminal matters, if the person is not charged, is acquitted, or if all charges are dismissed, the director of corrections shall return the fee to the person at the last known address listed in the booking records.

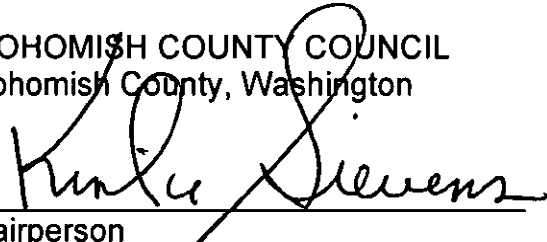
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(5) Subsections (1) through (3) of this section shall not apply to persons booked into the Snohomish County jail after September 5, 2006.

Section 2. Findings and effective date. The County Council finds as a fact that the trial court in Huss v. Spokane County, United States District Court, Eastern District of Washington, No. CV-05-180-FVS, granted partial summary judgment on the ground that RCW 70.48.390 is facially unconstitutional, and that suspending the collection of booking fees assessed under Chapter 4.52B SCC is appropriate and that this ordinance is necessary for the support of county government and its existing institutions. Based on the foregoing, the County Council declares that an emergency exists and that this ordinance shall take effect immediately.

PASSED this 6th day of September, 2006.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington


  
Chairperson

ATTEST:

  
Clerk of the Council, *ASST.*

APPROVED  
 EMERGENCY  
 VETOED

DATE: Sept. 6, 2006

  
for County Executive  
DEANNA DAWSON  
Executive Director

ATTEST:

Laura Caster

EMERGENCY ORDINANCE NO. 06- 076  
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Approved as to form only:

*Robert J. Hunt* 9/15/16  
Deputy Prosecuting Attorney

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