



**BUSINESS OF THE CITY COUNCIL  
CITY OF MERCER ISLAND**

**AB 6127  
September 6, 2022  
Regular Business**

**AGENDA BILL INFORMATION**

<b>TITLE:</b>	AB 6127- An Ordinance Amending MICC 9.50.040 (Ord. No. 22C-15)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Adopt Ordinance No. 22C-15 amending MICC 9.50.040	

<b>DEPARTMENT:</b>	City Attorney
<b>STAFF:</b>	Bio Park, City Attorney Eileen Keiffer, Madrona Law Group, PLLC
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Ordinance No. 22C-15
<b>CITY COUNCIL PRIORITY:</b>	n/a

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

**EXECUTIVE SUMMARY**

As a result of Engrossed Second Substitute House Bill 1320 (“E2SHB 1320”), which recodified, consolidated, and reorganized various sections of the Revised Code of Washington (RCW), MICC 9.50.040 (Mercer Island’s criminal code section on domestic relations) needs to be amended to ensure the Mercer Island Municipal Court retains authority to enforce and issue penalties related to various types of protection orders.

**BACKGROUND**

Earlier this year, the Washington State Legislature enacted E2SHB 1320, which recodified, consolidated, and reorganized sections of the RCW with the purpose of modernizing, harmonizing, and improving the efficacy of the state’s laws concerning civil protection orders. MICC 9.50.040 (Mercer Island’s criminal code section on domestic relations) incorporates by reference RCW 26.50.110 (Violation of order—Penalties (domestic violence prevention)), which was repealed by E2SHB 1320, and replaced with RCW 7.105.450 (Enforcement and penalties—Other than antiharassment protection orders and extreme risk protection orders).

**ISSUE/DISCUSSION**

Ordinance No. 22C-15 amends MICC 9.50.040 (Mercer Island’s criminal code section on domestic relations) to strike the outdated reference to RCW 26.50.110 (Violation of order—Penalties (domestic violence prevention)), and replaces it with the current statutory citation of RCW 7.105.450 (Enforcement and

penalties—Other than antiharassment protection orders and extreme risk protection orders). This amendment to MICC 9.50.040 ensures that the Mercer Island Municipal Court retains clear authority to enforce various types of protection orders and issue penalties for violations, as set forth in the statute.

## **NEXT STEPS**

Pursuant to City Council Rules of Procedure 6.3(C)(3), adoption of Ordinance No. 22C-15 upon first reading is recommended, because the effective date of the relevant portion of E2SHB 1320 was July 1, 2022. Upon adoption, this ordinance will take effect five days after publication in the Mercer Island Reporter.

## **RECOMMENDED ACTION**

Adopt Ordinance No. 22C-15 amending MICC 9.50.040 upon first reading.