

held to discuss the disposition by sale or lease of real estate, the discussion shall be limited to the minimum selling or leasing price.

Passed the Senate March 30, 1983.

Passed the House April 18, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

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## CHAPTER 156

[Engrossed Senate Bill No. 3185]

### COURTS—CRIMES—CONTINUING JURISDICTION

AN ACT Relating to crimes and punishment; amending section 1, chapter 75, Laws of 1969 and RCW 3.66.067; amending section 2, chapter 75, Laws of 1969 and RCW 3.66.068; amending section 3, chapter 75, Laws of 1969 and RCW 3.66.069; amending section 1, chapter 19, Laws of 1980 as last amended by section 10, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.95.210; amending section 81, chapter 299, Laws of 1961 and RCW 3.50.320; amending section 82, chapter 299, Laws of 1961 and RCW 3.50.330; amending section 83, chapter 299, Laws of 1961 and RCW 3.50.340; amending section 9, chapter 147, Laws of 1969 ex. sess. and RCW 35.20.255; prescribing penalties; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 75, Laws of 1969 and RCW 3.66.067 are each amended to read as follows:

After a conviction, the court may defer sentencing the defendant and place him on probation and prescribe the conditions thereof, but in no case shall it extend for more than ~~((one))~~ two years from the date of conviction. During the time of the deferral, the court may, for good cause shown, permit a defendant to withdraw his plea of guilty, permit him to enter a plea of not guilty, and dismiss the charges against him.

Sec. 2. Section 2, chapter 75, Laws of 1969 and RCW 3.66.068 are each amended to read as follows:

For a period not to exceed ~~((one))~~ two years after imposition of sentence, the court ~~((shall have))~~ has continuing jurisdiction and authority to suspend the execution of all or any part of its sentence upon stated terms, including installment payment of fines.

Sec. 3. Section 3, chapter 75, Laws of 1969 and RCW 3.66.069 are each amended to read as follows:

Deferral of sentence and suspension of execution of sentence may be revoked if the defendant violates or fails to carry out any of the conditions of the deferral or suspension. Upon the revocation of the deferral or suspension, the court may impose the sentence previously suspended or any unexecuted portion thereof. In no case shall the court impose a sentence greater than the original sentence, with credit given for time served and money paid on fine and costs.

Any time before entering an order terminating probation, the court may revoke or modify its order suspending the imposition or execution of the sentence. Whenever the ends of justice will be served and when warranted by the reformation of the probationer, the court may terminate the period of probation and discharge the person so held.

Sec. 4. Section 1, chapter 19, Laws of 1980 as last amended by section 10, chapter 47, Laws of 1982 1st ex. sess. and RCW 9.95.210 are each amended to read as follows:

~~((The court))~~ In granting probation, the court may suspend the ~~((imposing))~~ imposition or the execution of the sentence and may direct that ~~((such))~~ the suspension may continue for such period of time as it shall designate, not exceeding the maximum term of sentence in the case of a superior court or a period of two years in the case of a court of limited jurisdiction organized under Title 3, 35, or 35A RCW, except as hereinafter set forth and upon such terms and conditions as it shall determine.

~~((The court))~~ In the order granting probation and as a condition thereof, the court may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with ~~((such))~~ the probation impose both imprisonment in the county jail and fine and court costs. As a condition of probation, the court shall require the payment of the penalty assessment required by RCW 7.68.035. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of ~~((said))~~ the probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the

conduct of ~~((such))~~ the person during the term of his probation~~((PROVIDED, That))~~. For defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the county legislative authority of the county wherein the court is located.

Sec. 5. Section 81, chapter 299, Laws of 1961 and RCW 3.50.320 are each amended to read as follows:

After a conviction, the court may defer sentencing the defendant and place him on probation and prescribe the conditions thereof, but in no case shall it extend for more than ~~((one))~~ two years from the date of conviction. During the time of the deferral, the court may, for good cause shown, permit a defendant to withdraw his plea of guilty, permit him to enter a plea of not guilty, and dismiss the charges against him.

Sec. 6. Section 82, chapter 299, Laws of 1961 and RCW 3.50.330 are each amended to read as follows:

For a period not to exceed ~~((one))~~ two years after imposition of sentence, the court shall have continuing jurisdiction and authority to suspend the execution of all or any part of its sentence upon stated terms, including installment payment of fines.

Sec. 7. Section 83, chapter 299, Laws of 1961 and RCW 3.50.340 are each amended to read as follows:

Deferral of sentence and suspension of execution of sentence may be revoked if the defendant violates or fails to carry out any of the conditions of the deferral or suspension. Upon the revocation of the deferral or suspension, the court shall impose the sentence previously suspended or any unexecuted portion thereof. In no case shall the court impose a sentence greater than the original sentence, with credit given for time served and money paid on fine and costs.

Any time before entering an order terminating probation, the court may revoke or modify its order suspending the imposition or execution of the sentence. Whenever the ends of justice will be served and when warranted by the reformation of the probationer, the court may terminate the period of probation and discharge the person so held.

Sec. 8. Section 9, chapter 147, Laws of 1969 ex. sess. and RCW 35.20-.255 are each amended to read as follows:

Judges of the municipal court, in their discretion, shall have the power in all criminal proceedings within their jurisdiction including violations of city ordinances, to defer imposition of any sentence, suspend all or part of any sentence, fix the terms of any such deferral or suspension, and provide for such probation and parole as in their opinion is reasonable and necessary under the circumstances of the case, but in no case shall it extend for more than two years from the date of conviction.

**NEW SECTION.** Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 1, 1983.

Passed the House April 17, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

## CHAPTER 157

[Senate Bill No. 3182]

### FINANCIAL INSTITUTIONS—HOLDING COMPANY ACQUISITIONS— SUPERVISOR OF BANKING—DUTIES

AN ACT Relating to financial institutions; amending section 30.04.060, chapter 33, Laws of 1955 as amended by section 6, chapter 196, Laws of 1982 and RCW 30.04.060; amending section 30.04.110, chapter 33, Laws of 1955 as amended by section 1, chapter 136, Laws of 1969 and RCW 30.04.110; amending section 2, chapter 194, Laws of 1963 and RCW 30.04.128; amending section 30.04.140, chapter 33, Laws of 1955 as amended by section 2, chapter 133, Laws of 1967 and RCW 30.04.140; amending section 30.04.160, chapter 33, Laws of 1955 and RCW 30.04.160; amending section 7, chapter 136, Laws of 1969 and RCW 30.04.215; amending section 30.04.230, chapter 33, Laws of 1955 as last amended by section 7, chapter 196, Laws of 1982 and RCW 30.04.230; adding new sections to chapter 30.04 RCW; repealing section 30.04.150, chapter 33, Laws of 1955 and RCW 30.04.150; repealing section 1, chapter 241, Laws of 1981 and RCW 43.19.095; repealing section 2, chapter 241, Laws of 1981 and RCW 43.19.112; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. There is added to chapter 30.04 RCW a new section to read as follows:

A bank or trust company may purchase for its own account shares of stock of a bank or a holding company that owns or controls a bank if the stock of the bank or company is owned exclusively, except to the extent directly qualifying shares are required by law, by depository institutions and the bank or company and all subsidiaries thereof are engaged exclusively in providing services for other depository institutions and their officers, directors, and employees. In no event may the total amount of such stock held by a bank or trust company in any bank or bank holding company exceed at any time ten percent of its capital stock and paid-in and unimpaired surplus, and in no event may the purchase of such stock result in a bank or trust company acquiring more than twenty-five percent of any class of voting securities of such bank or company. Such a bank or bank holding company shall be called a "banker's bank."

**NEW SECTION.** Sec. 2. There is added to chapter 30.04 RCW a new section to read as follows: