

the governing body of any county of the second class or larger, or (b) fire fighters as that term is defined in RCW 41.26.030, as now or hereafter amended.

Passed the House April 17, 1989.

Passed the Senate April 6, 1989.

Approved by the Governor May 8, 1989.

Filed in Office of Secretary of State May 8, 1989.

CHAPTER 276

[House Bill No. 1070]

CONVICTED CRIMINAL DEFENDANTS—RELEASE DURING STAY OF EXECUTION ON APPEAL OR WHILE AWAITING SENTENCE

AN ACT Relating to criminal procedure; amending RCW 9.95.062; adding a new section to chapter 9.95 RCW; adding new sections to chapter 10.64 RCW; and adding a new section to chapter 10.82 RCW.

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

Sec. 1. Section 2, chapter 42, Laws of 1955 as last amended by section 1, chapter 4, Laws of 1969 ex. sess. and RCW 9.95.062 are each amended to read as follows:

(1) Notwithstanding CrR 3.2 or RAP 7.2, an appeal by a defendant in a criminal action shall not stay the execution of the judgment of conviction, if the court determines by a preponderance of the evidence that:

(a) The defendant is likely to flee or to pose a danger to the safety of any other person or the community if the judgment is stayed; or

(b) The delay resulting from the stay will unduly diminish the deterrent effect of the punishment; or

(c) A stay of the judgment will cause unreasonable trauma to the victims of the crime or their families; or

(d) The defendant has not undertaken to the extent of the defendant's financial ability to pay the financial obligations under the judgment or has not posted an adequate performance bond to assure payment.

(2) In case the defendant has been convicted of a felony, and has been unable to ((furnish a bail bond)) obtain release pending the appeal by posting an appeal bond, cash, adequate security, release on personal recognizance, or any other conditions imposed by the court, the time ((he)) the defendant has been imprisoned pending the appeal shall be deducted from the term for which ((he)) the defendant was ((theretofore)) sentenced ((to the penitentiary)), if the judgment ((against him be)) is affirmed.

NEW SECTION. Sec. 2. A new section is added to chapter 10.64 RCW to read as follows:

A defendant who has been found guilty of a felony and is awaiting sentencing shall be detained unless the court finds by clear and convincing evidence that the defendant is not likely to flee or to pose a danger to the

safety of any other person or the community if released. Any bail bond that was posted on behalf of a defendant shall, upon the defendant's conviction, be exonerated.

NEW SECTION. Sec. 3. A new section is added to chapter 10.82 RCW to read as follows:

Financial obligations imposed in a judgment shall bear interest from the date of the judgment until payment, at the rate applicable to civil judgments.

NEW SECTION. Sec. 4. A new section is added to chapter 9.95 RCW to read as follows:

In order to minimize the trauma to the victim, the court may attach conditions on release of a defendant under section 1 of this act regarding the whereabouts of the defendant, contact with the victim, or other conditions.

NEW SECTION. Sec. 5. A new section is added to chapter 10.64 RCW to read as follows:

In order to minimize the trauma to the victim, the court may attach conditions on release of a defendant under section 2 of this act regarding the whereabouts of the defendant, contact with the victim, or other conditions.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House April 21, 1989.

Passed the Senate April 21, 1989.

Approved by the Governor May 8, 1989.

Filed in Office of Secretary of State May 8, 1989.

CHAPTER 277

[House Bill No. 1631]

CONVENTION CENTER FACILITIES—SPECIAL ASSESSMENTS TO COVER FUNDING SHORTFALLS

AN ACT Relating to the use of local improvement districts by cities and towns to finance convention centers; and amending RCW 35.43.040.

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

Sec. 1. Section 35.43.040, chapter 7, Laws of 1965 as last amended by section 1, chapter 397, Laws of 1985 and RCW 35.43.040 are each amended to read as follows:

Whenever the public interest or convenience may require, the legislative authority of any city or town may order the whole or any part of any local improvement including but not restricted to those, or any combination