

Individual State Agency Fiscal Note

Bill Number: 5819 SB	Title: State public defense funding	Agency: 056-Office of Public Defense
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.
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The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

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Agency Approval:	Joanne Moore	Phone: 360 956-2107	Date: 02/20/2009
OFM Review:	Cherie Berthon	Phone: 360-902-0659	Date: 02/23/2009

Request # 056-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

SB 5819 would increase the proportion of state funds available to cities for public defense grants under Chapter 10.101 RCW, and would decrease the proportion of state public defense funds available to counties. Any fiscal impact to OPD is indeterminate, but would not exceed \$20,000 per year

Under current law, OPD annually distributes grant applications to every city that operates a municipal court. At the current level of funding, OPD received and processed 20 city grant applications in 2007 and 23 city applications in 2008. OPD awarded 14 city grants in each of those years. Unlike the city grant program, which is competitive in nature, the county funding program assumes a pro rata share of funding for each of the 39 counties in the state.

An increase in the funding available to cities is likely to increase the number of cities applying for grants. Depending on the magnitude of any increase in applications, OPD could face increased costs associated with properly processing each application (which may include multiple attachments), evaluating each application and selecting grantees. A substantial increase in applications could potentially require OPD to contract for temporary staff assistance to process and/or evaluate the applications. Increased city funding and applications likely also would lead to an increased number of grants awarded, which could increase OPD's costs for onsite monitoring and consultation with the grant recipients consistent with agency policy to observe local courts during the grant period.

The potential for increased OPD costs associated with increased city funding would not be offset by the relative decrease in available county funding because each county will remain entitled to its pro rata share of whatever funding is available, and OPD will be required to maintain its existing level of service to the counties.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Zero cash receipts.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

SB 5819 would increase the proportion of state funds available to cities for public defense grants under Chapter 10.101 RCW, and would decrease the proportion of state public defense funds available to counties. Fiscal impact is non-zero but indeterminate.

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Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.