

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1728 HB	<b>Title:</b> Service animals/businesses
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## Estimated Cash Receipts

NONE

## Estimated Expenditures

Agency Name	2011-13			2013-15			2015-17		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Sentencing Guidelines Commission	.0	0	0	.0	0	0	.0	0	0
<b>Total</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>

## Estimated Capital Budget Impact

NONE

<b>Prepared by:</b> Cherie Berthon, OFM	<b>Phone:</b> 360-902-0659	<b>Date Published:</b> Final
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

FNPID 28819

FNS029 Multi Agency rollup

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1728 HB	<b>Title:</b> Service animals/businesses	<b>Agency:</b> 055-Admin Office of the Courts
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## Part I: Estimates

☒ No Fiscal Impact

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

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.

Legislative Contact	Kelly Pfundheller	Phone: 360-786-7289	Date: 02/11/2011
Agency Preparation:	Julia Appel	Phone: (360) 705-5229	Date: 02/14/2011
Agency Approval:	Dirk Marler	Phone: 360-705-5211	Date: 02/14/2011
OFM Review:	Cherie Berthon	Phone: 360-902-0659	Date: 02/15/2011

Request # -1

**Part II: Narrative Explanation**

**II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts**

This bill makes it a misdemeanor to prevent a person and his or her service animal from entering a business where food for human consumption is sold or served. It clarifies the definition of "service animal" and specifies that it only applies to dogs.

This is expected to have minimal caseload impact on the courts statewide.

**II. B - Cash Receipts Impact**

**II. C - Expenditures**

**Part III: Expenditure Detail**

**Part IV: Capital Budget Impact**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1728 HB	<b>Title:</b> Service animals/businesses	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

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No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*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.

Legislative Contact:	Kelly Pfundheller	Phone: 360-786-7289	Date: 02/11/2011
Agency Preparation:	Wes Thomte	Phone: 360-725-8256	Date: 02/14/2011
Agency Approval:	Susan Lucas	Phone: (360) 725-8277	Date: 02/14/2011
OFM Review:	Adam Aaseby	Phone: 360-902-0539	Date: 02/14/2011

Request # 103-1

## 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.*

Section 1: Amends RCW 9.91.170 by removing the definition of "dog Guide" and modifying the definition of "service animal". Any reference to "dog guide" in the statute was struck. Additionally, anyone preventing a service animal and user from entering a business where food for consumption is sold or served is guilty of a misdemeanor. A second or subsequent violation will result in a class C felony. If a person deprives a service animal user from their service animal is guilty of theft in the first degree.

Section 2: Amends RCW 49.60.040 by removing the definition of "dog Guide" and modifying the definition of "service animal". Any reference to "dog guide" in the statute was struck.

Section 3: Amends RCW 49.60.215 to define "public resort, accommodation, assemblage, or amusement".

### 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.*

### 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.*

The Sentencing Guidelines Commission (SGC) has no information with which to predict how the changes proposed by the bill will affect the number of sentences per fiscal year for the new offense and therefore, cannot reliably estimate bed impacts. The offense is a Class C felony, not ranked on the adult felony sentencing grid; it is punishable by a term of confinement of 0 to 12 months in jail. Therefore, any impact will be on jail beds, unless an exceptional sentence is ordered which results in a prison sentence.

Theft 1 is a class B felony with a seriousness level of 2, resulting in a standard range of 0 to 57 months and a statutory maximum of 120 months. Any impact from this offense would be in both jail and prison beds.

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

NONE

## 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.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1728 HB	<b>Title:</b> Service animals/businesses	<b>Agency:</b> 325-Sentencing Guidelines Commission
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## Part I: Estimates

☒ No Fiscal Impact

*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.

Legislative Contact: Kelly Pfundheller	Phone: 360-786-7289	Date: 02/11/2011
Agency Preparation: Keri-Anne Jetzer	Phone: 360-407-1070	Date: 02/11/2011
Agency Approval: Duc Luu	Phone: 360-407-1075	Date: 02/11/2011
OFM Review: Adam Aaseby	Phone: 360-902-0539	Date: 02/11/2011

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*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.*

*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.*

*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.*

**Part IV: Capital Budget Impact**

NONE

**HB 1728**  
**SERVICE ANIMALS/BUSINESSES**  
**325 – Sentencing Guidelines Commission**  
**February 11, 2011**

**SUMMARY**

**A brief description of what the measure does that has fiscal impact**

- Section 1      Amends RCW 9.91.170 by removing the definition of ‘dog guide’ and modifying the definition of ‘service animal’. Any reference to ‘dog guide’ in the statute was struck. Additionally, anyone preventing a service animal and user from entering a business where food for consumption is sold or served is guilty of a misdemeanor.
- Section 2      Amends RCW 49.60.040 by removing the definition of ‘dog guide’ and modifying the definition of ‘service animal’. Any reference to ‘dog guide’ in the statute was struck.
- Section 3      Amends RCW 49.60.215 to define ‘public resort, accommodation, assemblage, or amusement’.

**EXPENDITURES**

**Assumptions**

None

**Impact on the Sentencing Guidelines Commission**

This bill would not require modification of the Commission’s database and data entry programs.

**Impact on prison and jail beds**

Impact is indeterminate. This bill modifies the definition of ‘service animal’ to include only dogs. Currently this definition includes ‘an animal that is trained for the purposes of . . .’. Under this bill, related violations would no longer be applicable to animals other than the defined dogs which could result in a reduction in violations. The Sentencing Guidelines Commission (SGC) does not track misdemeanor or gross misdemeanor data. The SGC has not had any occurrences ever of either the unranked class C felony for injuring, disabling or causing the death of a service animal or the Theft 1 offense where a person deprives the service animal user of his/her service animal.

An unranked class C felony has a standard range of 0 to 12 months with a statutory maximum of 60 months. Any impact from this offense would be in jail beds only.

Theft 1 is a class B felony with a seriousness level of 2, resulting in a standard range of 0 to 57 months and a statutory maximum of 120 months. Any impact from this offense would be in both jail and prison beds.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

<b>Bill Number:</b> 1728 HB	<b>Title:</b> Service animals/businesses
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**Part I: Jurisdiction**-Location, type or status of political subdivision defines range of fiscal impacts.

## Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

## Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

## Part III: Preparation and Approval

Fiscal Note Analyst: Aaron Nickell	Phone: 360/725-2733	Date: 02/17/2011
Leg. Committee Contact: Kelly Pfundheller	Phone: 360-786-7289	Date: 02/11/2011
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/17/2011
OFM Review: Adam Aaseby	Phone: 360-902-0539	Date: 02/17/2011

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.*

This bill would make it a misdemeanor to prevent a person with disabilities and his or her service animal from entering a business where food for human consumption is sold or served. The term "service animal" would only apply to dogs.

The following sections of the bill may impact local governments:

Section 1: Amends RCW 9.91.170. This section would make it a misdemeanor to prevent a person with disabilities and his or her service animal from entering a business where food for human consumption is sold or served. It also specifies that the term "service animal" only applies to certain dogs.

Section 2: Reenacts and amends RCW 49.60.040. Specifies that the term "service animal" only applies to certain dogs.

Section 3: Amends RCW 49.60.215. Clarifies that the terms "public resort, accommodation, assemblage, or amusement" includes, but is not limited to, businesses where food for human consumption is sold or served.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.*

The proposed legislation would have no impact on local government expenditures.

The Administrative Office of the Courts (AOC) reports that this legislation would have a minimal caseload impact on the courts statewide.

### **C. SUMMARY OF REVENUE IMPACTS**

*Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.*

The proposed legislation would have no impact on local government revenue or revenue authority.

PLEASE NOTE: AOC fiscal notes cover court costs. Local government fiscal notes cover costs for prosecution, indigent defenders, and jails (a local cost). For more information, see the AOC fiscal note.

#### **SOURCES:**

Administrative Office of the Courts

Association of Washington Cities

Washington State Department of Health - Food Safety Program