

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1553 HB	<b>Title:</b> Opportunity restoration
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## Estimated Cash Receipts

Agency Name	2015-17		2017-19		2019-21	
	GF- State	Total	GF- State	Total	GF- State	Total
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.					
<b>Total \$</b>	0	0	0	0	0	0

Local Gov. Courts *		41,200		41,200		
Loc School dist-SPI						
Local Gov. Other **						
Local Gov. Total						

## Estimated Expenditures

Agency Name	2015-17			2017-19			2019-21		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.4	30,494	30,494	.4	30,494	30,494	.0	30,494	30,494
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Health	.0	0	0	.0	0	0	.0	0	0
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
<b>Total</b>	<b>0.4</b>	<b>\$30,494</b>	<b>\$30,494</b>	<b>0.4</b>	<b>\$30,494</b>	<b>\$30,494</b>	<b>0.0</b>	<b>\$30,494</b>	<b>\$30,494</b>

Local Gov. Courts *	1.1		227,044	1.1		227,044			227,044
Loc School dist-SPI	1.1			1.1					
Local Gov. Other **	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total	2.2			2.2					

## Estimated Capital Budget Impact

NONE

<b>Prepared by:</b> Cheri Keller, OFM	<b>Phone:</b> 360-902-0563	<b>Date Published:</b> Final 2/ 5/2015
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

ENPID: 39165

FNS029 Multi Agency rollup

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1553 HB	<b>Title:</b> Opportunity restoration	<b>Agency:</b> 055-Admin Office of the Courts
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

Account	FY 2016	FY 2017	2015-17	2017-19	2019-21
Counties	16,581	16,581	33,162	33,162	
Cities	4,019	4,019	8,038	8,038	
<b>Total \$</b>	<b>20,600</b>	<b>20,600</b>	<b>41,200</b>	<b>41,200</b>	

### Estimated Expenditures from:

STATE	FY 2016	FY 2017	2015-17	2017-19	2019-21
State FTE Staff Years	.4	.4	.4	.4	
Account					
General Fund-State 001-1	15,247	15,247	30,494	30,494	30,494
State Subtotal \$	15,247	15,247	30,494	30,494	30,494
COUNTY	FY 2016	FY 2017	2015-17	2017-19	2019-21
County FTE Staff Years	.9	.9	.9	.9	
Account					
Local - Counties	107,728	107,728	215,456	215,456	215,456
Counties Subtotal \$	107,728	107,728	215,456	215,456	215,456
CITY	FY 2016	FY 2017	2015-17	2017-19	2019-21
City FTE Staff Years	.3	.3	.3	.3	
Account					
Local - Cities	5,794	5,794	11,588	11,588	11,588
Cities Subtotal \$	5,794	5,794	11,588	11,588	11,588
Local Subtotal \$	113,522	113,522	227,044	227,044	227,044
<b>Total Estimated Expenditures \$</b>	<b>128,769</b>	<b>128,769</b>	<b>257,538</b>	<b>257,538</b>	<b>257,538</b>

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: Cassie Jones	Phone: 360-786-7303	Date: 01/28/2015
Agency Preparation: Renee Lewis	Phone: 360-704-4142	Date: 02/02/2015
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 02/02/2015
OFM Review: Cheri Keller	Phone: 360-902-0563	Date: 02/03/2015

Request # 1553 HB-2

## Part II: Narrative Explanation

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

This bill would create a Certificate of Restoration of Opportunity to:

- (1) Support more successful reentry and personal responsibility after criminal justice involvement; and
- (2) Reduce recidivism by lifting statutory bars to occupations, licenses, or permits that result from a criminal history and often create barriers to employment.

Section 3 of this bill would allow (2) A qualified court that has jurisdiction to issue a certificate of restoration of opportunity to a qualified applicant. (a) A court must determine, in its discretion whether the certificate: (i) Applies to all past criminal history; or (ii) Applies only to the convictions or adjudications in the jurisdiction of the court.

Section 3(10)(a) The administrative office of the courts shall develop and prepare instructions, forms, and an informational brochure designed to assist applicants applying for a certificate of restoration of opportunity. (b) The instructions must include, at least, a sample of a standard application and a form order for a certificate of restoration of opportunity. (c) The administrative office of the courts shall distribute a master copy of the instructions, informational brochure, and sample application and form order to all county clerks and a master copy of the application and order to all superior courts by January 1, 2016. (d) The administrative office of the courts shall determine the significant non-English-speaking or limited English-speaking populations in the state. The administrator shall then arrange for translation of the instructions, which shall contain a sample of the standard application and order, and the informational brochure into languages spoken by those significant non-English-speaking populations and shall distribute a master copy of the translated instructions and informational brochures to the county clerks by January 1, 2016. (e) The administrative office of the courts shall update the instructions, brochures, standard application and order, and translations when changes in the law make an update necessary.

### II. B - Cash Receipts Impact

No cash receipt impact

### II. C - Expenditures

To provide the potential judicial impact of this bill, Columbia Legal Services provided the following information:

New York has enacted laws that allow for issuing similar certificates of restoration. Based on similar certificate numbers from New York, it is possible that there may be 84 applications filed in Washington the first year and between 300 and 525 per year thereafter, or an average of 412 per year. (This average over time includes a possible range of 50 to a high of 900.) These numbers are extrapolated from the number of these types of certificates issued in New York over the last 15 years when comparing the populations of Washington and New York and the number of people with criminal histories. Since New York's process is different from the one proposed for Washington, these numbers are a "starting point" for estimates.

To estimate the potential expenditure impact of this bill the average of 412 certificate of restoration of opportunity (CROP) applications per year will be used.

Currently, misdemeanor, gross misdemeanor, and felony convictions may be vacated under criteria found in RCW 9.96.060 and RCW 9.94A.640. An offender whose conviction has been vacated may state for all purposes that he or she has not been convicted of that crime. Judicial Information System data related to vacated cases over the past 5 years was used to estimate the average number of CROP applications in the following courts:

- superior court - 1832 or 71 percent
- district court - 432 or 17 percent
- municipal court - 319 or 12 percent

Using the percentages for vacation of conviction orders above and the Columbia Legal Services estimate of 412 average number of CROP applications filed each year, the amount of CROP applications and hearings in each court are estimated to be:

- superior court – 292 applications (412 x 71 percent)
- district court – 70 applications (412 x 17 percent)
- municipal court – 50 applications (412 x 12 percent)

Request # 1553 HB-2

Input from the courts estimate an average hearing time to determine CROP eligibility would be 30 minutes per application . Additional clerk staff time is required to research CROP eligibility which includes legal financial obligation requirements . This is outside of the clerk staff time associated to the hearing on an applicant's motion. Additional clerk time for this research is estimated to be 60 minutes per application.

292 new CROP applications would result in the need for .13 additional superior court judges, .32 additional superior court staff, and .83 additional county clerk staff. The expenditure impact to the state would be \$15,247 per year. The expenditure impact to the counties would be \$93,129 per year.

70 new CROP applications filed in the district court would result in the need for .02 additional district court judges and .17 additional district court clerk staff. The expenditure impact to the counties will be \$14,599 per year.

50 new CROP applications filed in the municipal court would result in the need for .006 additional municipal court judges and .06 additional municipal court clerk staff. The expenditure impact to the cities will be \$5,794 per year.

There is also impact to the administrative office of the courts. Based on input from the program, there would be an estimated \$15,000 in costs for contracts to translators. Per commission rules, a team of three translators are required for the forms, applications, and instructions for applications and certificates. Staff time to initiate the contracts and to write the contracts will be absorbed within normal workload.

## Part III: Expenditure Detail

### III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	.4	.4	.4	.4	
Salaries and Wages	10,108	10,108	20,216	20,216	20,216
Employee Benefits	5,139	5,139	10,278	10,278	10,278
Professional Service Contracts					
Goods and Other Services	15,000		15,000		
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
<b>Total \$</b>	<b>30,247</b>	<b>15,247</b>	<b>45,494</b>	<b>30,494</b>	<b>30,494</b>

### III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	.9	.9	.9	.9	
Salaries and Benefits	85,372	85,372	170,744	170,744	170,747
Capital					
Other	22,355	22,355	44,710	44,710	44,710
<b>Total \$</b>	<b>107,727</b>	<b>107,727</b>	<b>215,454</b>	<b>215,454</b>	<b>215,457</b>

**III. C - Expenditure By Object or Purpose (City)**

<i>City</i>	<b>FY 2016</b>	<b>FY 2017</b>	<b>2015-17</b>	<b>2017-19</b>	<b>2019-21</b>
FTE Staff Years	0.3	0.3	0.3	0.3	
Salaries and Benefits	4,769	4,769	9,538	9,538	9,538
Capital					
Other	1,026	1,026	2,052	2,052	2,052
<b>Total \$</b>	<b>5,795</b>	<b>5,795</b>	<b>11,590</b>	<b>11,590</b>	<b>11,590</b>

**III. D - FTE Detail**

<b>Job Classification</b>	<b>Salary</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>2015-17</b>	<b>2017-19</b>	<b>2019-21</b>
District Court Clerk		0.9	0.9	0.9	0.9	
District Court Judge		0.0	0.0	0.0	0.0	
JIS System Support						
Municipal Court Clerk		0.2	0.2	0.2	0.2	
Municipal Court Judge		0.0	0.0	0.0	0.0	
Superior Court Judge		0.1	0.1	0.1	0.1	
Superior Court Staff		0.3	0.3	0.3	0.3	
<b>Total FTE's</b>		<b>1.6</b>	<b>1.6</b>	<b>1.6</b>	<b>1.6</b>	<b>0.0</b>

**Part IV: Capital Budget Impact**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1553 HB	<b>Title:</b> Opportunity restoration	<b>Agency:</b> 240-Department of Licensing
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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: Cassie Jones	Phone: 360-786-7303	Date: 01/28/2015
Agency Preparation: Robert Press	Phone: 360-902-4023	Date: 01/30/2015
Agency Approval: Jill Rider	Phone: (360) 902-3943	Date: 01/30/2015
OFM Review: David Dula	Phone: (360) 902-7437	Date: 02/02/2015

*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

## **Part II: Explanation**

Courts will be able to issue a certificate of restoration of opportunity (CORO) to persons with a criminal history. The CORO indicates that these persons do not pose a substantial risk to public safety.

Under this bill The Department of Licensing (DOL) will be prohibited from denying a professional registration or license solely based on an applicant's previous criminal history when the applicant can provide a CORO.

### **II. A – Brief Description of What the Measure Does that Has Fiscal Impact**

Section 3 requires DOL to disregard professional or business license requirements regarding criminal history if the licensing applicant can provide a CORO.

Courts currently issue vacations of convictions for some crimes and DOL uses this information in determining professional licensing eligibility. A CORO will be treated the same as the vacation notices. No current business processes or systems will be affected so there will be no fiscal impact to DOL.

The effective date of the bill is 90 days sine die.

## **Part IV: Capital Budget Impact**

None

## **Part V: New Rule Making Required**

None



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1553 HB	<b>Title:</b> Opportunity restoration	<b>Agency:</b> 300-Dept of Social and Health Services
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

### Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

### Estimated Capital Budget Impact:

NONE

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Cassie Jones	Phone: 360-786-7303	Date: 01/28/2015
Agency Preparation: Dan Winkley	Phone: 360-902-8179	Date: 02/02/2015
Agency Approval: Kelci Karl-Robinson	Phone: 360-902-8174	Date: 02/02/2015
OFM Review: Bryce Andersen	Phone: (360) 902-0580	Date: 02/03/2015

## 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 3 (1) - States that no state, county, and municipal departments, boards, officers, and agencies authorized to assess the qualifications of an applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for the license or certificate from disqualifying a qualified applicant, solely based on the applicant's criminal history, if the qualified applicant obtained a certificate of restoration of opportunity and the applicant meets all other statutory and regulatory requirements.

Section 3 (1)(c) Provides that unless otherwise addressed in statute, in cases where an applicant would be disqualified under RCW's 43.20A.710 and 43.43.842, and the applicant has obtained a certificate of restoration of opportunity, the Department of Social and Health Services (DSHS) may, after review of relevant factors, including the nature and seriousness of the offense, time that has passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at its discretion allow the applicant to have unsupervised access to children, vulnerable adults, or individuals with mental illness or development disabilities if the applicant is otherwise qualified and suitable; or disqualify the applicant solely based on the applicants criminal history.

### 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.*

The impact to cash receipts is indeterminate.

### 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 bill creates a process for qualified applicants with Washington State criminal history to apply to a qualified court to receive a Certificate of Restoration of Opportunity (CROP). To be considered qualified, the applicant must meet requirements outlined in Section 2 (1) as follows:

- Meet identified timelines since sentencing and/or release from total confinement;
- Complies with sentencing requirements;
- Has never been convicted of a sex offense under RCWs 9.94A.030, 9.94A.835, 13.40.135, or 9.94A.353(3)(f) and is not required to register as a sex offender pursuant to 9A.44.130; and
- Has not been arrested, convicted, or have a pending charge for a new crime

Section 3(1) of this bill prohibits governmental departments from disqualifying an applicant from being licensed, certified, or authorized based solely on the applicants criminal history if the qualified applicant has received a Certificate of Restoration of Opportunity (CROP).

It is unknown how many individuals will apply for a certificate of restoration and subsequently apply for licensure at DSHS. DSHS would have the right to make the decision to disqualify individuals from providing care to vulnerable children and adults based solely on criminal history, there would be staffing costs to review

each case for character and suitability. In addition, for each instance that DSHS denies a request by a client for an individual to provide care, the client has a right to appeal the decision. Additional appeals by clients will also have a fiscal and workload impact on the department. DSHS would need to create new rules, policies, and procedures to implement DSHS' statutory authority to "review relevant facts" for individuals with "certificates of restoration" for crimes that would otherwise disqualify him/her from working in an unsupervised capacity.

The fiscal impact of this bill is indeterminate.

### **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> 1553 HB	<b>Title:</b> Opportunity restoration	<b>Agency:</b> 303-Department of Health
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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:

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- ☐ 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: Cassie Jones	Phone: 360-786-7303	Date: 01/28/2015
Agency Preparation: Donna Compton	Phone: (360) 236-4557	Date: 02/02/2015
Agency Approval: Kristin Bettridge	Phone: (360) 236-4530	Date: 02/02/2015
OFM Review: Bryce Andersen	Phone: (360) 902-0580	Date: 02/02/2015

## 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.*

This legislation prohibits certain state, county, and municipal departments, boards, officers, and agencies authorized to assess the qualifications of an applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for the license or certificate from disqualifying a qualified applicant, solely based on the applicant's criminal history, if the qualified applicant has obtained a certificate of restoration of opportunity and the applicant meets all other statutory and regulatory requirements.

If the practice of a profession involves unsupervised contact with vulnerable adults, children, or individuals with mental illness or developmental disabilities, or populations otherwise defined by statute as vulnerable, the Department of Health may, after review of relevant factors including the nature and seriousness of the offense, time passed since conviction, changed circumstances since the offense occurred, and the nature of the employment or license sought, at its discretion: (1) disqualify an applicant who has obtained a certificate of restoration of opportunity solely based on the applicant's criminal history or; (2) if such applicant is otherwise qualified and suitable, credential or credential with conditions an applicant who has obtained a certificate of restoration of opportunity for a license, certification, or registration to engage in the practice of a health care profession or business.

The department does not anticipate any changes in existing policies or procedures because of this bill and anticipated increase to staff-time is minimal. No fiscal impact.

### 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.*

NONE

### 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.*

MINIMAL

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

NONE

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.*

NONE

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1553 HB	<b>Title:</b> Opportunity restoration	<b>Agency:</b> 350-Supt of Public Instruction
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## Part I: Estimates

☒ **No Fiscal Impact**

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Cassie Jones	Phone: 360-786-7303	Date: 01/28/2015
Agency Preparation: Mike Woods	Phone: 360 725-6283	Date: 02/02/2015
Agency Approval: Mike Woods	Phone: 360 725-6283	Date: 02/02/2015
OFM Review: Kate Davis	Phone: (360) 902-0570	Date: 02/02/2015

## 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

The bill encourages the use of Certificates of Restoration of Opportunity (CROP) to reduce some barriers to employment for adults and juveniles by providing an opportunity for individuals to become more employable and to more successfully reintegrate into society after they have served their sentence, demonstrated a period of law-abiding behavior consistent with successful reentry, and have turned their lives around following a conviction.

#### Section 2

Defines a qualified applicant for a Certificate of Restoration of Opportunity. A person convicted of certain sex offenses is not qualified to obtain a certificate (Section 2(1)(c)).

#### Section 3

No state, county, or municipal department, board, officer, or agency authorized to assess the qualifications of any applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for such a license or certificate may disqualify an applicant solely based on the applicant's criminal history if the qualified applicant has obtained a certificate of restoration of opportunity and meets all the other statutory and regulatory requirements.

#### Section 5

Pertains to the Gambling Commission's license and permit processes.

#### Section 7

Pertains to qualifications of public officers.

#### Section 9

Pertains to the Secretary of the state Department of Transportation.

#### Section 10

Pertains to the Board of Accountancy.

#### Section 11(3) and (4)

Unless there is another provision of law to the contrary, a person convicted of a felony crime specified under RCW 28A.400.322 (Crimes Against Children) is disqualified for a teacher's certification unless they have obtained a Certificate of Restoration of Opportunity specified in Section 3; and a person convicted of a felony crime specified under RCW 28A.400.322 (Crimes Against Children) is disqualified from employment by districts unless they obtained a Certificate of Restoration of Opportunity specified in Section 3.

#### Section 13

Pertains to the regulation of auctioneers.

#### Section 14

Pertains to the regulation of assisted living facilities.

Section 15

Pertains to the regulation of embalmers.

Section 16

Pertains to the regulation of escrow agents.

Section 19

Pertains to the Department of Social and Health Services and Department of Health and their regulation of individuals and facilities providing services to vulnerable adults.

Section 20

Pertains to the regulation of pharmacists.

Section 21

Pertains to long-term care workers.

Section 22

Pertains to massage practitioners.

Section 23

Pertains to the regulation of health professionals.

Section 28

Pertains to the regulation of licensed fire protection sprinkler system contractors.

Section 29

Pertains to the regulation of private investigators.

Section 30

Pertains to the regulation of private security guards.

Section 31

Pertains to the regulation of bail bond agents.

Section 33

Pertains to the Department of Social and Health Services.

**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.*

None.

**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.*

No impact to OSPI.



Applicants for the Certificate of Opportunity of Restoration must meet all other statutory requirements. Under Section 2(1)(c) anyone convicted of certain offenses are not qualified to hold an educational certificate. Therefore they would not be a qualified applicant for a Certificate of Restoration of Opportunity.

### **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.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 1553 HB	<b>Title:</b> Opportunity restoration
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## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☒ Cities: Minimal costs for prosecutors to respond to applications for Certificate of Restoration of Opportunity and pull the applicant's criminal record.
- ☒ Counties: Same as above
- ☐ 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:

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Indeterminate Impact

## Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 02/03/2015
Leg. Committee Contact: Cassie Jones	Phone: 360-786-7303	Date: 01/28/2015
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/03/2015
OFM Review: Cheri Keller	Phone: 360-902-0563	Date: 02/03/2015

## **Part IV: Analysis**

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

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

The legislation creates a Certificate of Restoration of Opportunity (CROP) to reduce some barriers to employment for adults and juveniles by providing an opportunity for individuals to become more employable they have served their sentence and meet other criteria established by the bill.

Section 3 establishes that no state, county, or municipal department, board, officer, or agency authorized to assess the qualifications of any applicant for a license, certificate of authority, qualification to engage in the practice of a profession or business, or for admission to an examination to qualify for such a license or certificate may disqualify an applicant solely based on the applicant's criminal history if the qualified applicant has obtained a CROP.

An applicant must provide notice to the prosecutor in the county where he or she seeks a CROP. The applicant must also notify the prosecuting attorney of any other jurisdiction in which he or she was sentenced within five years of the application for a certificate. The prosecutor in the county where an applicant applies for a certificate shall provide the court with a report of the applicant's criminal history.

### **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 legislation would create minimal costs for local government, as a result of additional work for city and county prosecutors.

The Washington Association of Prosecuting Attorneys estimated that responding to a CROP application and pulling an applicant's criminal history would require approximately 15 to 30 minutes per applicant. The Administrative Office of the Courts (AOC) estimates that there would be approximately 412 CROP applications per year; 50 for municipal courts, and 362 for county courts. As such, the applications would result in between 12 and 25 hours for city prosecutors and between 73 and 146 hours for county prosecutors.

At an average hourly cost of \$65 an hour for prosecutors, statewide costs would range from \$6,695 to \$13,390. Thus, the staff impacts for any single jurisdiction are estimated to be minimal.

Court impacts, including judicial costs, clerk costs, and court fees, are described in fiscal notes prepared by AOC. Local government fiscal notes include city and county expenditures for law enforcement investigations and arrests, indigent defenders, county prosecutors and jail costs. Please see the AOC fiscal note for a discussion of impacts to city and county courts.

### **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 legislation would have no revenue impact for local government.

#### **SOURCES:**

Washington Association of Prosecuting Attorneys

Administrative Office of the Courts

Association of Washington Cities Salary and Benefits Survey