

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5105 2S SB	<b>Title:</b> DUI 4th offense/felony
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## Estimated Cash Receipts

NONE

## 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	.3	65,428	65,428	.3	65,428	65,428	.3	65,428	65,428
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Traffic Safety Commission	.5	0	99,148	.5	0	99,148	.5	0	99,148
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	10.0	3,241,421	3,241,421	28.7	8,553,386	8,553,386	32.3	9,481,215	9,481,215
<b>Total</b>	<b>10.8</b>	<b>\$3,306,849</b>	<b>\$3,405,997</b>	<b>29.5</b>	<b>\$8,618,814</b>	<b>\$8,717,962</b>	<b>33.1</b>	<b>\$9,546,643</b>	<b>\$9,645,791</b>

Local Gov. Courts *	1.1		142,998	1.1		142,998	1.1		142,998
Loc School dist-SPI	1.1			1.1			1.1		
Local Gov. Other **			(977,560)			(1,780,560)			(1,812,680)
Local Gov. Total	2.2		(977,560)	2.2		(1,780,560)	2.2		(1,812,680)

## Estimated Capital Budget Impact

NONE

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). A fiscal analysis was prepared to show the projected ten-year cost to tax or fee payers of the proposed taxes or fees. The ten-year projection can be viewed at

<http://www.ofm.wa.gov/tax/default.asp>

<b>Prepared by:</b> Trisha Newport, OFM	<b>Phone:</b> (360) 902-0417	<b>Date Published:</b> Final 6/25/2015
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

ENPID: 42303

FNS029 Multi Agency rollout

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 5105 2S SB	<b>Title:</b> DUI 4th offense/felony	<b>Agency:</b> 055-Admin Office of the Courts
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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:

STATE	FY 2016	FY 2017	2015-17	2017-19	2019-21
State FTE Staff Years	.3	.3	.3	.3	.3
<b>Account</b>					
General Fund-State 001-1	32,714	32,714	65,428	65,428	65,428
State Subtotal \$	32,714	32,714	65,428	65,428	65,428
COUNTY	FY 2016	FY 2017	2015-17	2017-19	2019-21
County FTE Staff Years	1.1	1.1	1.1	1.1	1.1
<b>Account</b>					
Local - Counties	82,535	82,535	165,070	165,070	165,070
Counties Subtotal \$	82,535	82,535	165,070	165,070	165,070
CITY	FY 2016	FY 2017	2015-17	2017-19	2019-21
City FTE Staff Years					
<b>Account</b>					
Local - Cities	(11,036)	(11,036)	(22,072)	(22,072)	(22,072)
Cities Subtotal \$	(11,036)	(11,036)	(22,072)	(22,072)	(22,072)
Local Subtotal \$	71,499	71,499	142,998	142,998	142,998
Total Estimated Expenditures \$	104,213	104,213	208,426	208,426	208,426

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). Therefore, this fiscal analysis includes a projection showing the ten-year cost to tax or fee payers of the proposed taxes or fees.

*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: Travis Sugarman	Phone: 786-7446	Date: 03/02/2015
Agency Preparation: Renee Lewis	Phone: 360-704-4142	Date: 06/17/2015
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 06/17/2015
OFM Review: Jim Albert	Phone: (360) 902-0419	Date: 06/25/2015

Request # 5105 2S SB-3

## Part II: Narrative Explanation

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

This judicial impact fiscal note is a revision of the last note prepared for 2SSB 5105 because of an incorrect interpretation. Previously it was stated that RCW 46.61.5055 would be amended to reduce the number of prior violations allowed for DUI or physical control from three to two within seven years to be charged with a class C felony. However, that statement is incorrect. RCW 46.61.5055 would be amended to reduce the number of prior violations allowed for DUI or physical control from three to two within seven years to incur the additional fifty dollar assessment.

2SSB 5105 differs from PSSB 5105 in that RCW 46.61.5054 (1)(a) would be amended to add an additional fifty dollars to the two hundred dollar fee assessed as a result of an arrest for violating RCW 46.61.502, 46.61.504, 46.61.520 or 46.61.522. The additional fee is for the purpose of funding the Washington state toxicology laboratory and the Washington state patrol for grants and activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs. There are no other changes to the previous bills.

PSSB 5105 differs from SB 5105 as follows:

RCW 94A.515 would amend Table 2 titled "Crimes Included Within Each Seriousness Level". There is no change to the judicial impact from the original bill.

Prior bill information.

RCW 46.61.502 and 46.61.504 would be amended to reduce the number of prior violations allowed for DUI or physical control from four to three within ten years to be charged with a class C felony.

RCW 46.61.5055 would be amended to reduce the number of prior violations allowed for DUI or physical control from three to two within seven years to be charged with a class C felony (this assumption has been corrected).

### II. B - Cash Receipts Impact

For the purposes of this judicial impact note, over the last three years, an average of 12,193 cases would have been eligible for the additional \$50 charge. The maximum potential revenue would be \$609,650. However, not all DUI fees are paid. For purposes of this judicial impact note a 78% collection rate (based on traffic infraction data) is used. Therefore, the potential additional revenue that would be collected is \$475,527 (\$609,650 x 78%).

Previous revenue projections that do not change:

Because the fine amounts for felony crimes are higher than gross misdemeanor crimes, there is the potential for an increase in revenue. The bill would raise the applicable penalties from a maximum of \$5,000 to a maximum of \$10,000.

For RCW 46.61.502 and 46.61.504, the number of third violations recorded was 276 in 2014. These were charged as gross misdemeanors but would be class C felonies under the changes in the bill.

The potential increase in fines could be calculated as the number of violations that would qualify for class C felonies multiplied by the difference in the maximum penalties (\$5,000). This would be a potential fine increase of \$1,380,000. However, the maximum fine is not always ordered and fines are not always paid in full and can take several years to pay.

Judicial information system data for felony fine payment shows that in the first year less than two percent of fines are paid, and in the second year this increases to 5.5 percent. If the total amount was ordered and paid using payment rate of 2%, the potential maximum revenue would be \$27,600.

### II. C - Expenditures

Correction to previous judicial impact fiscal note: There would not be an expected change in 817 cases from gross misdemeanor to felony per year for RCW 46.61.5055. Therefore, only the amounts for changing a fourth offense to a felony (276 cases) will be used for an impact to the courts.

Court expenditures will be impacted in two ways, an increase in trial rate and associated costs and a transfer of cases from municipal courts to county superior courts.

Superior courts hear felony cases while misdemeanor DUI and control cases are heard in courts of limited jurisdiction (district and municipal). There will be a transfer of all fourth offenses (three priors) to superior courts for RCW 46.61.502 and 46.61.504. Caseload data for 2014 shows that 30 percent of misdemeanor DUI and control cases were heard in municipal courts and the remainder in district court.

Judicial Information System data shows an expected change in 276 cases from gross misdemeanor to felony per year for RCW 46.61.502 and 46.61.504.

Using 276 cases and 30 percent municipal processing, municipal courts would experience a reduction of 81 cases per year. District courts would see a reduction of 195 cases per year and superior courts would see an increased caseload of 276 cases.

Reduced expenditure for municipal courts statewide is estimated at \$11,036 per year for reduced judicial officer time and support staff time. This equates to a reduction of 0.012 judicial officer and .12 municipal staff FTE spread through all of the cities.

Reduced district court expenditure is estimated at \$60,528 per year for reduced judicial officer time and support staff time. This equates to a reduction of 0.084 judicial officer and 0.69 district court staff FTE spread through all of the counties.

The 276 new felony cases heard at superior courts is expected to increase expenditure for judicial officers, and support staff by \$175,777 (\$32,714 for the state and \$143,063 for counties) per year. This equates to 0.28 of judicial officer, 0.68 superior court staff and 0.89 clerk staff FTE spread through all the counties.

The other impact based on the second substitute is the need to add codes to the JIS. It is estimated to take 83 hours for a total cost of \$4,399. However, these numbers are not added to the grid because it is assumed the workload will be absorbed.

## 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	.3	.3	.3	.3	.3
Salaries and Wages	21,689	21,689	43,378	43,378	43,378
Employee Benefits	11,026	11,026	22,052	22,052	22,052
Professional Service Contracts					
Goods and Other Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
<b>Total \$</b>	<b>32,715</b>	<b>32,715</b>	<b>65,430</b>	<b>65,430</b>	<b>65,430</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	1.1	1.1	1.1	1.1	1.1
Salaries and Benefits	53,015	53,015	106,030	106,030	106,030
Capital					
Other	29,520	29,520	59,040	59,040	59,040
<b>Total \$</b>	<b>82,535</b>	<b>82,535</b>	<b>165,070</b>	<b>165,070</b>	<b>165,070</b>

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**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					
Salaries and Benefits	(9,082)	(9,082)	(18,164)	(18,164)	(18,164)
Capital					
Other	(1,955)	(1,955)	(3,910)	(3,910)	(3,910)
<b>Total \$</b>	<b>(11,037)</b>	<b>(11,037)</b>	<b>(22,074)</b>	<b>(22,074)</b>	<b>(22,074)</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>
Clerk staff		0.9	0.9	0.9	0.9	0.9
District court judge		(0.1)	(0.1)	(0.1)	(0.1)	(0.1)
District court staff		(0.7)	(0.7)	(0.7)	(0.7)	(0.7)
Municipal court staff		0.0	0.0	0.0	0.0	0.0
Superior court judge		0.6	0.6	0.6	0.6	0.6
Superior court staff		0.7	0.7	0.7	0.7	0.7
<b>Total FTE's</b>		<b>1.4</b>	<b>1.4</b>	<b>1.4</b>	<b>1.4</b>	<b>1.4</b>

**Part IV: Capital Budget Impact**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5105 2S SB	<b>Title:</b> DUI 4th offense/felony	<b>Agency:</b> 101-Caseload Forecast Council
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## Part I: Estimates

☒ **No Fiscal Impact**

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). Therefore, this fiscal analysis includes a projection showing the ten-year cost to tax or fee payers of the proposed taxes or fees.

*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: Travis Sugarman	Phone: 786-7446	Date: 03/02/2015
Agency Preparation: Ed Vukich	Phone: 360-664-9374	Date: 03/05/2015
Agency Approval: John Steiger	Phone: 360-664-9370	Date: 03/05/2015
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 03/11/2015

## 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.*

See the attachment.

### 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.*

See the attachment,

## 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.

# **2SSB 5105**

## **MAKING A FOURTH DRIVING UNDER THE INFLUENCE OFFENSE A FELONY**

**101 – Caseload Forecast Council  
March 5, 2015**

### **SUMMARY**

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

- Section 1 lowers the felony DUI threshold from four or more prior offenses in 10 years to three or more prior offenses in 10 years.
- Section 2 lowers the felony APC threshold from four or more prior offenses in 10 years to three or more prior offenses in 10 years.
- Section 3 amends non-felony DUI/APC sentencing provisions by removing three prior offenses in seven years from non-felony sentencing provisions.
- Section 3 additionally lowers the felony DUI/APC threshold from four or more prior offenses in 10 years to three or more prior offenses in 10 years.
- Section 3 additionally amends non-felony DUI/APC sentencing provisions by removing three prior offenses in seven years from non-felony sentencing provisions concerning extra jail days for committing the offense with a passenger under the age of 16 was in the vehicle.
- Section 4 amends the list of offenses ranked on the adult felony sentencing grid by removing felony DUI from Seriousness Level V and reranking it at Seriousness Level IV.
- Section 4 additionally amends the list of offenses ranked on the adult felony sentencing grid by removing felony APC from Seriousness Level V and reranking it at Seriousness Level IV.
- Section 5 increases the fee – imposed for a conviction, sentence to a lesser charge or deferred prosecution resulting from an arrest for DUI, APC, vehicular homicide or vehicular assault – from \$200 to \$250.
- Section 5 additionally makes a technical correction.
- Section 5 additionally directs that \$50 of the imposed fee shall be distributed to the Highway Safety Fund to be used solely for funding Washington Traffic Safety Commission grants for programs to reduce driving under the influence.

Given the above provisions:

- The threshold for felony DUI/APC is lowered from four or more prior offenses in 10 years to three or more prior offenses in 10 years;
- The number of offenders that the Department of Corrections will have to supervise is expanded; and
- The Seriousness Level for felony DUI/APC is reduced from V to IV.



## EXPENDITURES

### Assumptions.

The bed impacts for this bill were calculated under the following assumptions.

- Sentences that shift from jail to prison are based Administrative Office of the Courts data for the number of sentences (Calendar Year 2014) and days actually served in jail (Calendar Year 2011 through Calendar Year 2013) for DUI/APC with three prior offenses in 10 years, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Current policy felony DUI sentences that receive shorter sentences under the proposed policy are based on Caseload Forecast Council Fiscal Year 2014 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Caseload Forecast Council Fiscal Year 2014 felony DUI/APC data used for several of the calculations listed below exclude exceptional sentences and factor in statutory maximums.
- Sentences are distributed evenly by month.
- Current policy felony DUI sentences are resentenced to the same relative point in the proposed policy standard range that they were in the current policy standard range.
- Proposed policy sentencing scores for the proposed policy sentences are calculated from an offender score distribution, which is based on Caseload Forecast Council Fiscal Year 2014 felony DUI/APC data, and is calculated by the Caseload Forecast Council. The distribution is adjusted downward to reflect the fewer number of prior offenses in 10 years between the current policy of four or more prior offense and the proposed policy of three prior offenses.
- Proposed policy sentences are set at average standard range sentence lengths, for each different cell, for current policy felony DUI/APC offenders, and is based on Caseload Forecast Council Fiscal Year 2014 data for felony DUI/APC sentences, calculated by the Caseload Forecast Council.
- For jail sentences, length of stay in jail is calculated using a figure for average earned release, based on a 2001 survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- For prison sentences, average time spent in jail prior to transfer to the Department of Corrections is based on Caseload Forecast Council Fiscal Year 2014 data for felony DUI/APC sentences, and is calculated by the Caseload Forecast Council.
- For prison sentences, length of stay in prison is calculated using a figure for average percentage of sentence served in prison, which is based on Department of Corrections Fiscal Year 2012 data for felony DUI/APC offenders, and is calculated and provided by the Department of Corrections.
- Prison bed impacts are calculated with a discount factor (prison sentences versus actual offenders), which is based on Caseload Forecast Council Fiscal Year 2014 felony DUI/APC data, and is calculated by the Caseload Forecast Council.
- Prison bed impacts are calculated with a phase-in factor, which is based on Caseload Forecast Council Fiscal Year 2012 through Fiscal Year 2014 felony DUI/APC data, and is calculated by the Caseload Forecast Council.
- Community custody supervision impacts take into account a number of factors, based both on Caseload Forecast Council and Department of Corrections data, and include appropriate discount factors and phase-in factors.

**Impact on the Caseload Forecast Council.**

This bill would require modification of the Council's adult and juvenile databases and data entry programs. These recurring costs are included in the agency's budget.

**Impact on prison and jail beds.**

This bill:

- Increases the number of felony DUIs and felony APCs;
- Increases the number of offenders under the Department of Corrections supervision; and
- Decreases sentence lengths for felony DUIs and felony APCs.

The bill will result in a maximum jail bed impact of -32 beds, first reached at 37 months after implementation. Additionally, the bill will result in no prison (DOSA) bed impact, and a maximum prison (non-DOSA) bed impact of 225 beds (approximately 16.7% female and 83.3% male), first reached at 79 months after implementation.

The bill will also result in a maximum Department of Corrections community custody supervision impact of 265 offenders, first reached at 70 months after implementation.

**Average Monthly Population Jail and Prison Impacts****2SSB 5105 - Making a Fourth DUI Offense a Felony**

Caseload Forecast Council

March 5, 2015

	Fiscal Year									
	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
<b>Jail AMP</b>	-11	-27	-31	-32	-32	-32	-32	-32	-32	-32
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	42	145	198	218	223	224	224	225	225	225
<b>Prison AMP (Total)</b>	42	145	198	218	223	224	224	225	225	225

**Average Monthly Population Supervision Impacts****2SSB 5105 - Making a Fourth DUI Offense a Felony**

Caseload Forecast Council

March 5, 2015

	Fiscal Year									
	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
<b>Supervision AMP</b>	5	85	188	238	259	264	265	265	265	265

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5105 2S SB	<b>Title:</b> DUI 4th offense/felony	<b>Agency:</b> 228-Wash Traffic Safety Commission
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
<b>Account</b>					
Highway Safety Account-State 106-1	49,574	49,574	99,148	99,148	99,148
<b>Total \$</b>	49,574	49,574	99,148	99,148	99,148

### Estimated Capital Budget Impact:

NONE

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). Therefore, this fiscal analysis includes a projection showing the ten-year cost to tax or fee payers of the proposed taxes or fees.

*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: Travis Sugarman	Phone: 786-7446	Date: 03/02/2015
Agency Preparation: Debbie Johnson	Phone: (360) 586-3869	Date: 03/06/2015
Agency Approval: Shelly Baldwin	Phone: 360-725-9889	Date: 03/06/2015
OFM Review: Cheri Keller	Phone: 360-902-0563	Date: 03/06/2015

## 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.

2SSB 5105 increases the BAC test fee (RCW 46.61.5054) by \$50 and distributes the funding to Washington Traffic Safety Commission for grants to organizations within counties targeted to programs to reduce driving under the influence of alcohol or drugs.

### 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.

No Cash Receipts for Agency 228 - Traffic Safety Commission

### 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 Administrative Office of the Court estimates that the \$50 increase in the BAC test fee could generate \$475,527 annually. A Traffic Safety Commission Program Manager oversees approximately \$950,000 in grant funds each. This equates to an increase of a .5 program manager to work with the Washington Impaired Driving Advisory Council and the WTSC Commissioners to develop a system for organizations within counties to apply for this funding and to administer and ensure compliance with the funded projects.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	38,904	38,904	77,808	77,808	77,808
B-Employee Benefits	10,670	10,670	21,340	21,340	21,340
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total:</b>	\$49,574	\$49,574	\$99,148	\$99,148	\$99,148

**III. B - Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2016	FY 2017	2015-17	2017-19	2019-21
Program Manager	49,574	0.5	0.5	0.5	0.5	0.5
<b>Total FTE's</b>	49,574	0.5	0.5	0.5	0.5	0.5

## 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> 5105 2S SB	<b>Title:</b> DUI 4th offense/felony	<b>Agency:</b> 300-Dept of Social and Health Services
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## Part I: Estimates

☒ **No Fiscal Impact**

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). Therefore, this fiscal analysis includes a projection showing the ten-year cost to tax or fee payers of the proposed taxes or fees.

*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.*

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- ☐ Requires new rule making, complete Part V.

Legislative Contact: Travis Sugarman	Phone: 786-7446	Date: 03/02/2015
Agency Preparation: Ken Brown	Phone: 360-902-7583	Date: 03/08/2015
Agency Approval: Kelci Karl-Robinson	Phone: 360-902-8174	Date: 03/08/2015
OFM Review: Danielle Cruver	Phone: (360) 902-0575	Date: 03/09/2015

## 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 bill would allow that a person may be charged with a felony for driving under the influence (DUI) or being in physical control of a motor vehicle while under the influence (PC) offense if the person's criminal record includes three or more, instead of four or more, prior offenses within the applicable time periods. A deferred prosecution for DUI or alcohol-involved negligent driving will count as a prior offense even if the charges are dropped after successful completion of the deferred prosecution program. This bill would allow offenders to possibly face prison time sooner than under present law. As it presents no change to alcohol and chemical dependency treatment, this bill has no fiscal impact to the department.

### 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.*

## 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> 5105 2S SB	<b>Title:</b> DUI 4th offense/felony	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	3.6	16.3	10.0	28.7	32.3
<b>Account</b>					
General Fund-State 001-1	630,452	2,610,969	3,241,421	8,553,386	9,481,215
<b>Total \$</b>	630,452	2,610,969	3,241,421	8,553,386	9,481,215

### Estimated Capital Budget Impact:

NONE

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). Therefore, this fiscal analysis includes a projection showing the ten-year cost to tax or fee payers of the proposed taxes or fees.

*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: Travis Sugarman	Phone: 786-7446	Date: 03/02/2015
Agency Preparation: Alan Haskins	Phone: 360-725-8264	Date: 03/13/2015
Agency Approval: Sarian Scott	Phone: (360) 725-8270	Date: 03/13/2015
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 03/16/2015



## 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(6) amends RCW 46.61.502, (driving under the influence (DUI)) by lowering the number of prior offenses that result in a felony conviction from four (4) or more prior offenses within 10 years, to three (3) or more prior offenses within 10 years as defined in RCW 46.61.5055.

Section 2(6) amends RCW 46.61.504, (Actual Physical Control (APC) of a Vehicle while under the influence) by lowering the number of prior offenses that result in a felony conviction from four (4) or more prior offenses within 10 years, to three (3) or more prior offenses within 10 years.

Section 3(3) amends RCW 46.61.5055 by lowering the number of prior offenses for the non-felony conviction of either DUI or APC from three (3) or more prior offenses within seven (7) years, to two (2) offenses within seven (7) years.

Section 3(4)(a) amends RCW 46.61.5055 by lowering the number of prior offenses that result in a felony conviction of either DUI or APC from four (4) or more prior offenses within 10 years, to three (3) or more prior offenses within 10 years.

Section 3(6)(d) amends RCW 46.61.5055 by lowering the number of prior offenses that result in a non-felony conviction of either DUI or APC committed while with a passenger under the age of 16 was in the vehicle, from three (3) or more prior offenses within seven (7) years, to two (2) prior offenses within seven (7) years.

Section 4 amends RCW 9.94A.515 by changing the adult sentencing grid for DUI and APC from Seriousness Level five (5) to Seriousness Level four (4).

Section 5(1)(a) amends RCW 46.61.5054 by increasing the assessed fee from \$200 to \$250 for a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution, as a result of an arrest for violating 46.61.502 (Driving under the influence), 46.61.504 (Physical control of vehicle under the influence), 46.61.520 (Vehicular homicide – Penalty), or 46.61.522 (Vehicular assault – Penalty).

Section 5(4) amends RCW 46.61.5054 adding fifty dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to organizations within counties targeted for programs to reduce driving under the influence of alcohol or drugs.

Effective date is assumed 90 days after adjournment of session in which this bill is passed.

### 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.

Our impacts are general fund state.

## 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.*

Fiscal impact is estimated at over \$50,000 cost per Fiscal Year (FY).

This bill changes the penalties for DUI and APC. The substitute bill changes the adult sentencing grid for DUI and APC from Seriousness Level five (5) to Seriousness Level four (4).

Section 1 lowers the number of DUI prior offenses that result in a felony conviction from four (4) or more prior offenses within 10 years, to three (3) or more prior offenses within 10 years. As a result, an offense that was previously considered a misdemeanor will be sentenced as a felony, resulting in impacts to the prison population and the community supervision population, as RCW 9.94A.501(4)(h) requires supervision for all felony DUI and APC convictions.

### PRISON CASELOAD IMPACT

The assumptions used to calculate the prison Average Daily Population (ADP) change were provided by the CFC fiscal note for this bill. CFC estimates that prison bed impacts begin at 42 ADP in Fiscal Year (FY) 2016 and reaches a maximum ADP change of 225 in FY2023.

The following are the estimated annual impacts (rounded):

FY2016: 42 ADP X \$12,387 annual average unit cost (AUC) = \$520,254 and 3.5 Full Time Equivalent (FTE);  
FY2017: 145 ADP X \$12,387 AUC = \$1,796,115 and 12.1 FTE's;  
FY2018: 198 ADP X \$12,387 AUC = \$2,452,626 and 16.5 FTE's;  
FY2019: 218 ADP X \$12,387 AUC = \$2,700,366 and 18.2 FTE's;  
FY2020: 223 ADP X \$12,387 AUC = \$2,762,301; and 18.6 FTE's; and  
FY2021: 224 ADP X \$12,387 AUC = \$2,774,688; and 18.7 FTE's.

### PRISON CHEMICAL DEPENDENCY TREATMENT IMPACT

The assumptions used to calculate Chemical Dependency (CD) Treatment (Tx) in prison uses FY2014 data of actual expenditures per offender participant. The FY2014 rate is \$13.78 per day per participant. DOC assumes 100% of the offenders sent to prison will need CD Tx given their offense. The average length of Tx is nine (9) months. To estimate the number of offenders who will participate from the ADP provided by CFC, DOC calculated the average length of stay in prison for this crime type of 19.9 months and divided this number into the number of months in a year ( $12/19.9=60.3\%$ ). This percentage is applied to the yearly CFC forecasted ADP to arrive at the number of offenders that we assume will be treated.

The following are the estimated annual impacts (rounded):

FY2016: 42 ADP X 60.3% = 25 offenders (rounded) X \$13.78 per day X 270 days of Tx = \$93,015;  
FY2017: 145 ADP X 60.3% = 87 offenders (rounded) X \$13.78 per day X 270 days of Tx = \$323,692;  
FY2018: 198 ADP X 60.3% = 119 offenders (rounded) X \$13.78 per day X 270 days of Tx = \$442,751;  
FY2019: 218 ADP X 60.3% = 131 offenders (rounded) X \$13.78 per day X 270 days of Tx = \$487,399;  
FY2020: 223 ADP X 60.3% = 134 offenders (rounded) X \$13.78 per day X 270 days of Tx = \$498,560; and  
FY2021: 224 ADP X 60.3% = 135 offenders (rounded) X \$13.78 per day X 270 days of Tx = \$502,281.

## COMMUNITY CASELOAD IMPACT

The assumptions used to calculate the community supervision ADP change were provided by the CFC for this bill. CFC estimates that community supervision ADP begin at 5 ADP in FY2016 and reaches a maximum ADP change of 265 in FY2022.

The following are the estimated annual impacts (rounded):

FY2016: 5 ADP, at a cost of \$9,312 and .1 FTE's  
FY2017: 85 ADP, at a cost of \$357,357 and 4.2 FTE's;  
FY2018: 188 ADP, at a cost of \$812,830 and 10.1 FTE's;  
FY2019: 238 ADP, at a cost of \$986,813 and 12.6 FTE's;  
FY2020: 259 ADP, at a cost of \$1,053,917 and 13.5 FTE's; and  
FY2021: 264 ADP, at a cost of \$1,066,172 and 13.7 FTE's.

## COMMUNITY SUPERVISION CHEMICAL DEPENDENCY TREATMENT IMPACT

The assumptions used to calculate CD Tx in the community include the FY2014 actual expenditures divided by the unduplicated offender participants in FY2014 providing the average annual Cost per Offender (CPO). DOC assumes 100% of the offenders will require follow-up CD Tx in the community after release from prison given their offense.

The following are the estimated annual impacts (rounded):

FY2016: 5 ADP X \$1,574.18 CPO = \$7,871;  
FY2017: 85 ADP X \$1,574.18 CPO = \$133,805;  
FY2018: 188 ADP X \$1,574.18 CPO = \$295,946;  
FY2019: 238 ADP X \$1,574.18 CPO = \$374,655;  
FY2020: 259 ADP X \$1,574.18 CPO = \$407,713; and  
FY2021: 264 ADP X \$1,574.18 CPO = \$415,584.

## AGENCYWIDE TOTAL IMPACT

Total fiscal impact of this proposed legislation prison and community impacts combined follows (rounded):

Fiscal impact by FY (prison and community combined) follows:

FY2016: \$630,452 and 3.6 FTE's;  
FY2017: \$2,610,969 and 16.3 FTE's;  
FY2018: \$4,004,153 and 26.6 FTE's;  
FY2019: \$4,549,233 and 30.7 FTE's;  
FY2020: \$4,722,491 and 32.1 FTE's; and  
FY2021: \$4,758,724 and 32.4 FTE's.

### Assumptions:

1. We assume impact based on the Caseload Forecast Council (CFC) estimated ADP impacts to DOC prison facilities/institutions and/or community supervision caseload.
2. CFC impacts are based on Calendar Year 2014 data from Administrative Office of the Courts.
3. CFC assumes any impact resulting from this bill could be on both jail beds and prison beds.

4. We assume an AUC of \$12,387 per offender per FY to facilitate cost discussion during legislative session for bills. This cost estimate includes prison custody staffing on living/housing units, prison direct variable costs, health services direct variable costs, and prison non-custody essential staffing on living/housing units. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. AUC is calculated by DOC and reviewed and approved by Office of Financial Management, Senate, House and Washington State Institute of Public Policy staffing each legislative session. DOC will need to true up impact to DOC so that full impact can be determined, i.e. opening/closing units or prisons once we better understand impacts down to the custody level, and facility.
5. We assume additional impacts will result other than AUC, and resources will be necessary, i.e. offender programming and administrative operating services.
6. DOC cost estimate for community supervision is calculated using the Community Supervision workload model.
7. For purposes of this fiscal note, the risk distribution is assumed to follow the standard caseload risk distribution assumptions.
8. CFC provided DOC with the current sentences by gender for this sentencing type. Males represent 83.3% of total, and females 16.7%.
9. DOC assumes 100% of the offenders sent to prison for this crime type are in need of CD Tx and that the average length of Tx is nine (9) months while in prison.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years	3.6	16.3	10.0	28.7	32.3
A-Salaries and Wages	243,207	1,021,097	1,264,304	3,417,527	3,815,804
B-Employee Benefits	100,271	417,821	518,092	1,390,724	1,551,180
C-Professional Service Contracts					
E-Goods and Other Services	107,206	418,953	526,159	1,250,808	1,319,597
G-Travel	297	10,127	10,424	51,621	63,623
J-Capital Outlays	135	4,474	4,609	8,455	1,473
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	179,336	738,497	917,833	2,434,251	2,729,538
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total:</b>	\$630,452	\$2,610,969	\$3,241,421	\$8,553,386	\$9,481,215

#### III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2016	FY 2017	2015-17	2017-19	2019-21
Community Supervision Staffing	48,164	0.1	4.2	2.2	11.3	13.6
Correctional Operations Staffing	68,112	3.5	12.1	7.8	17.4	18.7
<b>Total FTE's</b>	116,276	3.6	16.3	10.0	28.7	32.3

### III. C - Expenditures By Program (optional)

Program	FY 2016	FY 2017	2015-17	2017-19	2019-21
Correctional Operations (200)	520,254	1,796,115	2,316,369	5,152,992	5,536,989
Community Supervision (300)	9,312	357,357	366,669	1,799,643	2,120,089
Offender Programming (700)	100,886	457,497	558,383	1,600,751	1,824,137
<b>Total \$</b>	630,452	2,610,969	3,241,421	8,553,386	9,481,215

### 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> 5105 2S SB	<b>Title:</b> DUI 4th offense/felony
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## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☒ Cities: Savings from fewer misdemeanor costs heard in municipal courts.
- ☒ Counties: Savings from reduction in jail sentences; expenses for prosecutors and defense attorneys due to higher number of felony cases heard in superior courts.
- ☐ 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:

Jurisdiction	FY 2016	FY 2017	2015-17	2017-19	2019-21
City	(121,500)	(121,500)	(243,000)	(243,000)	(243,000)
County	(110,320)	(624,240)	(734,560)	(1,537,560)	(1,569,680)
<b>TOTAL \$</b>	(231,820)	(745,740)	(977,560)	(1,780,560)	(1,812,680)
<b>GRAND TOTAL \$</b>					<b>(4,570,800)</b>

## Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 03/06/2015
Leg. Committee Contact: Travis Sugarman	Phone: 786-7446	Date: 03/02/2015
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 03/06/2015
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 03/11/2015

## Part IV: Analysis

### A. SUMMARY OF BILL

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

#### CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The second substitute bill increases the fee assessed for a violation of DUI and physical control of a vehicle while intoxicated charges . This change and the other technical changes in the bill do not change the savings discussed below .

#### SUMMARY OF THE BILL:

Section 1 lowers the felony DUI threshold from four or more prior offenses in 10 years to three or more prior offenses in 10 years .

Section 2 lowers the felony physical control of a vehicle (PC) threshold from four or more prior offenses in 10 years to three or more prior offenses in 10 years.

Section 3 additionally lowers the felony DUI/PC threshold from four or more prior offenses in 10 years to three or more prior offenses in 10 years.

Section 3 additionally amends non-felony DUI/APC sentencing provisions by removing three prior offenses in seven years from non-felony sentencing provisions concerning extra jail days for committing the offense with a passenger under the age of 16 was in the vehicle.

Section 4 amends the list of offenses ranked on the adult felony sentencing grid by ranking felony DUI and felony PC at Seriousness Level IV.

### 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 result in a net savings for local government. Cities would see savings from fewer misdemeanor cases heard in municipal courts. Counties would experience savings from sentences transferred from county jails to Department of Corrections prisons. However, county superior courts would also see a higher number of felony cases, and this would impact prosecutors and court-appointed defense attorneys.

According to the Administrative Office of the Courts (AOC), the legislation would result in a reduction of 81 cases per year for municipal courts, which would effectively be transferred to superior courts.

For the purposes of this fiscal note, the Local Government Fiscal Note Program (LGFN) assumes that an average DUI or PC felony charge, not including any appeals resulting from convictions, results in staff costs of \$3,000, based on the LGFN prosecution and defense data tables. The costs for a misdemeanor charge for municipal courts were less, at approximately \$1,500 in staff costs. Therefore, the legislation would result in additional costs for counties of \$243,000 annually (\$3,000 x approximately 81 felony cases per year) and a reduction in costs for cities (\$1,500 x 81 fewer misdemeanor cases per year, or \$121,500).

Counties would see a reduction in costs due to fewer jail sentences. The Caseload Forecast Council has estimated the reductions, listed below. The average cost for a jail bed is \$88, according to the 2013 LGFN survey of city, county, and inter-jurisdictional jails. The corresponding savings are listed.

FY 2016 -- reduction of 11 beds, or \$353,320

FY 2017 -- reduction of 27 beds, or \$867,240

FY 2018 -- reduction of 31 beds, or \$995,720

FY 19 and subsequent years -- reduction of 32 beds, or \$1,027,840

The savings for counties under the legislation are therefore the costs for additional felony trials subtracted from the jail bed savings .

## **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:**

The Caseload Forecast Council

The Administrative Office of the Courts

Local Government Fiscal Note Program 2013 jail costs survey





# Multiple Agency Ten-Year Analysis Summary

<b>Bill Number</b>	<b>Title</b>
5105 2S SB	DUI 4th offense/felony

This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

## Estimated Cash Receipts

	<b>Fiscal Year 2016</b>	<b>Fiscal Year 2017</b>	<b>Fiscal Year 2018</b>	<b>Fiscal Year 2019</b>	<b>Fiscal Year 2020</b>	<b>Fiscal Year 2021</b>	<b>Fiscal Year 2022</b>	<b>Fiscal Year 2023</b>	<b>Fiscal Year 2024</b>	<b>Fiscal Year 2025</b>	<b>2016-25 TOTAL</b>
Admin Office of the Courts (Non-zero but indeterminate impact)	475,527	475,527	475,527	475,527	475,527	475,527	475,527	475,527	475,527	475,527	4,755,270
Caseload Forecast Council	0	0	0	0	0	0	0	0	0	0	0
Wash Traffic Safety Commission	0	0	0	0	0	0	0	0	0	0	0
Dept of Social and Health Services	0	0	0	0	0	0	0	0	0	0	0
Department of Corrections	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>4,755,270</b>



# Ten-Year Analysis

<b>Bill Number</b> 5105 2S SB	<b>Title</b> DUI 4th offense/felony	<b>Agency</b> 055 Admin Office of the Courts
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

☐ No Cash Receipts ☒ Indeterminate Cash Receipts

## Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023	Fiscal Year 2024	Fiscal Year 2025	2016-25 TOTAL
DUI fee	081	475,527	475,527	475,527	475,527	475,527	475,527	475,527	475,527	475,527	475,527	4,755,270
<b>Total</b>		<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>475,527</b>	<b>4,755,270</b>
<b>Biennial Totals</b>		<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>951,054</b>	<b>4,755,270</b>

## Narrative Explanation (Required for Indeterminate Cash Receipts)

For the purposes of this judicial impact note, over the last three years, an average of 12,193 cases would have been eligible for the additional \$50 charge. The maximum potential revenue would be \$609,650. However, not all DUI fees are paid. For purposes of this judicial impact note a 78% collection rate (based on traffic infraction data) is used. Therefore, the potential additional revenue that would be collected is \$475,527 (\$609,650 x 78%).

Agency Preparation: Renee Lewis	Phone: 360-704-4142	Date: 6/17/2015 1:28:14 pm
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 6/17/2015 1:28:14 pm
OFM Review: Shane Hamlin	Phone: (360) 902-0547	Date: 3/16/2015 10:43:43 am



# Ten-Year Analysis

<b>Bill Number</b> 5105 2S SB	<b>Title</b> DUI 4th offense/felony	<b>Agency</b> 101 Caseload Forecast Council
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

☒ **No Cash Receipts** ☐ **Indeterminate Cash Receipts**

<b>Name of Tax or Fee</b>	<b>Acct Code</b>											
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## Narrative Explanation (Required for Indeterminate Cash Receipts)

None.

Agency Preparation: Ed Vukich	Phone: 360-664-9374	Date: 3/5/2015 1:30:49 pm
Agency Approval: John Steiger	Phone: 360-664-9370	Date: 3/5/2015 1:30:49 pm
OFM Review: Shane Hamlin	Phone: (360) 902-0547	Date: 3/16/2015 10:43:43 am



# Ten-Year Analysis

<b>Bill Number</b> 5105 2S SB	<b>Title</b> DUI 4th offense/felony	<b>Agency</b> 228 Wash Traffic Safety Commission
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

☒ **No Cash Receipts** ☐ **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											
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Agency Preparation: Debbie Johnson	Phone: (360) 586-3869	Date: 3/6/2015 3:07:33 pm
Agency Approval: Shelly Baldwin	Phone: 360-725-9889	Date: 3/6/2015 3:07:33 pm
OFM Review: Shane Hamlin	Phone: (360) 902-0547	Date: 3/16/2015 10:43:43 am



# Ten-Year Analysis

<b>Bill Number</b> 5105 2S SB	<b>Title</b> DUI 4th offense/felony	<b>Agency</b> 300 Dept of Social and Health Services
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

☒ **No Cash Receipts** ☐ **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											
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Agency Preparation: Ken Brown	Phone: 360-902-7583	Date: 3/8/2015 3:20:28 pm
Agency Approval: Kelci Karl-Robinson	Phone: 360-902-8174	Date: 3/8/2015 3:20:28 pm
OFM Review: Shane Hamlin	Phone: (360) 902-0547	Date: 3/16/2015 10:43:43 am



# Ten-Year Analysis

<b>Bill Number</b> 5105 2S SB	<b>Title</b> DUI 4th offense/felony	<b>Agency</b> 310 Department of Corrections
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

☒ **No Cash Receipts**                      ☐ **Indeterminate Cash Receipts**

<b>Name of Tax or Fee</b>	<b>Acct Code</b>											
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## Narrative Explanation (Required for Indeterminate Cash Receipts)

We assume DOC will not collect fees associated with this bill.

Agency Preparation: Alan Haskins	Phone: 360-725-8264	Date: 3/13/2015 5:21:05 pm
Agency Approval: Sarian Scott	Phone: (360) 725-8270	Date: 3/13/2015 5:21:05 pm
OFM Review: Shane Hamlin	Phone: (360) 902-0547	Date: 3/16/2015 10:43:43 am