

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2045 HB	<b>Title:</b> Dependency/tribal juris.
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## Estimated Cash Receipts

Agency Name	2017-19		2019-21		2021-23	
	GF- State	Total	GF- State	Total	GF- State	Total
Office of Attorney General	Non-zero but indeterminate cost and/or savings. Please see discussion.					
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.					
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Estimated Expenditures

Agency Name	2017-19			2019-21			2021-23		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	Fiscal note not available								
Office of Attorney General	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>

Local Gov. Courts *	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other **									
Local Gov. Total									

## Estimated Capital Budget Impact

NONE

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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

FNPID: 47741

FNS029 Multi Agency rollup

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2045 HB	<b>Title:</b> Dependency/tribal juris.	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

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No Fiscal Impact

### Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.
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### Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.
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### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

☐

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☒

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

Legislative Contact: Sean Flynn	Phone: 360-786-7124	Date: 02/12/2017
Agency Preparation: Cam Comfort	Phone: (360) 664-9429	Date: 02/16/2017
Agency Approval: Brendan VanderVelde	Phone: 360 586-2104	Date: 02/16/2017
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 02/16/2017

## 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.*

Costs identified in this fiscal note do not include costs currently assumed to be indeterminate.

Section 1 amends RCW 13.38.080 to authorize the transfer of jurisdiction from a tribe to the state where a tribe has exercised jurisdiction of an Indian child but is unable to continue with its jurisdiction due to unforeseen circumstances.

### 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.*

Indeterminate cash receipts.

Cash receipts are assumed to equal the Legal Service Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Social & Health Services (DSHS). The AGO will bill all clients for legal services rendered.

These cash receipts represent the AGO authority to bill and are not a direct appropriation to the AGO. Appropriation authority is necessary in the AGO budget.

### 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.*

Indeterminate expenditure impact.

Assumptions for the AGO Social & Health Services (SHO) division Legal Services for DSHS:

1. Legal services associated with the enactment of this bill will begin on July 1, 2017.
2. The AGO will bill DSHS for legal services based on the enactment of this bill.
3. This bill creates a new process by which DSHS will be assigned additional cases, and it is not possible to estimate with reasonable accuracy how many cases this new process may result in. The expenditures are non-zero but indeterminate.
  - A. No process currently exists for transferring cases from Tribal Courts to state courts, so no information is available for comparative purposes.
  - B. The frequency of cases being transferred from Tribal Courts to state courts is unknown since this mechanism is not currently available.
  - C. When/if cases are transferred, the cases will likely be in different stages impacting the duration of the case

and its workload. There is no average case length available to determine AGO workload.

D. SHO assumes extra workload associated with obtaining the necessary records from Tribal Courts to implement the case.

E. Additional AAG workload is assumed associated with researching the tribal code of the transferring Tribal Court in order to interpret orders previously entered in Tribal Court.

F. This new mechanism may result in additional appeals, but there is no information available upon which to base an estimate of the required legal services.

### **Part III: Expenditure Detail**

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

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

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

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2045 HB	<b>Title:</b> Dependency/tribal juris.	<b>Agency:</b> 300-Department of Social and Health Services
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## Part I: Estimates

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No Fiscal Impact

### Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.
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### Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.
---

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

☐

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☒

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

Legislative Contact: Sean Flynn	Phone: 360-786-7124	Date: 02/12/2017
Agency Preparation: Mickie Coates	Phone: 360-902-8077	Date: 02/17/2017
Agency Approval: Ken Brown	Phone: 360-902-7583	Date: 02/17/2017
OFM Review: Rayanna Williams	Phone: (360) 902-0553	Date: 02/21/2017

## 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.*

When a tribe who has exercised jurisdiction of an Indian child is unable to continue with its jurisdiction due to unforeseen circumstances and if a tribal court orders transfer of jurisdiction from the tribe, the state shall take jurisdiction of the case.

### 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.*

A portion of the costs to implement this bill would be funded with federal Title IV-E funds.

### 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 transfer of jurisdiction creates workload for Social Workers in the Department of Social and Health Services (DSHS), Children's Administration (CA) and also requires the involvement of staff from the Office of the Attorney General. DSHS will be required to reimburse the Office of the Attorney General for all costs related to work on jurisdiction transfers. However, it is not possible to estimate the number of transfers that will occur under passage of this bill. For this reason, the fiscal impact is indeterminate.

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

## Part V: New Rule Making Required

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

None