

Multiple Agency Fiscal Note Summary

Bill Number: 2457 HB	Title: Domestic violence timelines
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Estimated Cash Receipts

NONE

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	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total	0.0	\$0	\$0	0.0	\$0	\$0	0.0	\$0	\$0

Estimated Capital Budget Impact

NONE

Prepared by: Ramona Nabors, OFM	Phone: (360) 902-0547	Date Published: Final 1/23/2018
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

ENPID: 50034

FNS029 Multi Agency rollup

Judicial Impact Fiscal Note

Bill Number: 2457 HB	Title: Domestic violence timelines	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2018	FY 2019	2017-19	2019-21	2021-23
Counties					
Cities					
Total \$					

Estimated Expenditures from:

COUNTY	FY 2018	FY 2019	2017-19	2019-21	2021-23
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2018	FY 2019	2017-19	2019-21	2021-23
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$					
Total Estimated Expenditures \$					

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: Omeara Harrington	Phone: 360-786-7136	Date: 01/10/2018
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 01/12/2018
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 01/12/2018
OFM Review: Ramona Nabors	Phone: (360) 902-0547	Date: 01/12/2018

Request # 2457 HB-1

Part II: Narrative Explanation

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

Please see attached Judicial Impact Note (JIN).

II. B - Cash Receipts Impact

II. C - Expenditures

Part III: Expenditure Detail

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

<i>State</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
Total \$					

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

<i>County</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
Total \$					

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

<i>City</i>	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
Total \$					

Part IV: Capital Budget Impact

Part II: Narrative Explanation

This bill would create a consistent standard for the maximum duration of domestic violence no-contact orders in non-felony cases in all court levels.

Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts

Section 2 – Would amend RCW 10.99.050 to clarify that a domestic violence no-contact order issued by a trial court judge remains in place at least for the period of time determined by the court, and may remain in place until the defendant has completed his or her sentence, even if the sentence extends beyond the normal maximum due to consecutive sentences, tolling while on warrant status, or another reason.

Section 3 – Would clarify a discrepancy between municipal court and superior court judges' authority to suspend the execution of a sentence for a domestic violence offense by amending RCW 9.95.210 to allow superior court judges five-year jurisdiction over domestic violence offenses.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Indeterminate, but impact is expected to be minimal due to increased jurisdiction, primarily in superior courts.

Individual State Agency Fiscal Note

Bill Number: 2457 HB	Title: Domestic violence timelines	Agency: 101-Caseload Forecast Council
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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: Omeara Harrington	Phone: 360-786-7136	Date: 01/10/2018
Agency Preparation: Ed Vukich	Phone: 360-664-9374	Date: 01/11/2018
Agency Approval: Ed Vukich	Phone: 360-664-9374	Date: 01/11/2018
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 01/16/2018

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.

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.

HB 2457
TIMELINES IN CRIMINAL CASES INVOLVING
DOMESTIC VIOLENCE
101 – Caseload Forecast Council
January 11, 2018

SUMMARY

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

Section 1 is an intent section.

Section 2 increases the amount of time a no-contact order issued for a non-felony offense stays in affect.

Section 3 adds domestic violence offense to the offenses for which the Superior Court may suspend the imposition or the execution of the sentence.

Section 3 additionally makes a technical correction.

Section 3 additionally defines Domestic Violence Offense.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impact on prison and jail beds.

This bill:

- Increases the duration of no-contact orders issued for non-felony offenses.

The Caseload Forecast Council has no information regarding no-contact orders. Additionally, the Caseload Forecast Council does not collect data on misdemeanor and gross misdemeanor offenses, and, therefore, cannot reliably estimate impacts resulting from the bill.

Individual State Agency Fiscal Note

Bill Number: 2457 HB	Title: Domestic violence timelines	Agency: 310-Department of Corrections
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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: Omeara Harrington	Phone: 360-786-7136	Date: 01/10/2018
Agency Preparation: Steven Ebner	Phone: 360-725-8277	Date: 01/15/2018
Agency Approval: Alan Haskins	Phone: 360-725-8264	Date: 01/15/2018
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 01/16/2018

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 adds a new section to RCW 10.99.050 which allows trial courts to issue no-contact orders in nonfelony cases. The section also addresses a discrepancy in which nonfelony domestic violence offenses can be suspended for up to five (5) years in district and municipal courts, but only up to two (2) years in superior courts.

Section 2(2)(c) states that an order issued pursuant to this section in conjunction with a misdemeanor, gross misdemeanor sentence or disposition shall remain in effect for a fixed period of time determined by the court but will not exceed five (5) years from sentencing or disposition.

Section 2(2)(d) states that an order issued pursuant to this section in conjunction with a felony sentence or disposition shall remain in effect for a fixed period of time determined by the court.

Section 2(2)(e) states if the defendant is subject to imprisonment, community supervisor, conditional release, probation, or parole, beyond the time designated by the court. The order will remain in effect until the expiration of that condition.

Section 2(2)(f) allows the court to modify a no-contact order's expiration date.

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.

No fiscal impact.

This bill concerns the length of time a court can impose a no-contact order for a misdemeanor or gross misdemeanor offense, therefore results in no impact to Department of Corrections.

The Caseload Forecast Council has no information regarding no-contact orders. Additionally, the Caseload Forecast Council does not collect data on misdemeanor and gross misdemeanor offenses, and, therefore, cannot reliably estimate impacts resulting from the bill.

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.

None.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 2457 HB	Title: Domestic violence timelines
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Part I: Jurisdiction—Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☒ Counties: Please see the Administrative Office of the Courts fiscal note for a discussion of court impacts.
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

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

Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/12/2018
Leg. Committee Contact: Omeara Harrington	Phone: 360-786-7136	Date: 01/10/2018
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 01/12/2018
OFM Review: Ramona Nabors	Phone: (360) 902-0547	Date: 01/13/2018

Part IV: Analysis

A. SUMMARY OF BILL

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

Sec. 2 amends RCW 10.99.050. When a defendant is found guilty of a crime and a condition of the sentence restricts the defendant's ability to have contact with the victim, such condition shall be recorded and a written certified copy of that order shall be provided to the victim. An order issued pursuant to this section in conjunction with a misdemeanor or gross misdemeanor sentence or disposition shall remain in effect for a fixed period of time as determined by the court, not to exceed five years from the date of sentencing or disposition.

An order issued pursuant to this section in conjunction with a felony sentence or disposition shall remain in effect for a fixed period of time determined by the court, not to exceed the adult maximum sentence.

If the defendant remains subject to imprisonment, community supervision, conditional release, probation, or parole beyond the time period designated by the court under (c) or (d) of this subsection, the order issued pursuant to this section shall remain in effect until expiration of that condition.

A court's authority to modify an order issued pursuant to this section includes, but is not limited to, the authority to extend the expiration date of the order, subject to the limitations of this section.

Sec. 3 amends RCW 9.95.210. For a defendant sentenced for a domestic violence offense, the superior court may suspend the imposition or the execution of the sentence and may direct that the suspension continue upon such conditions and for such time as the court shall designate, not to exceed five years.

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 have no expenditure impacts for local government beyond those discussed in the fiscal note of the Administrative Office of the Courts.

Please note that 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, city and county prosecutors, and jail costs.

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 impacts for local government.

SOURCES:

Caseload Forecast Council