

Multiple Agency Fiscal Note Summary

Bill Number: 5492 S SB

Title: Motor vehicle felonies

Estimated Cash Receipts

NONE

Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2019-21			2021-23			2023-25		
	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	Non-zero but indeterminate cost and/or savings. Please see discussion.								
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	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
The Evergreen State College	.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 Breakout

NONE

Prepared by: Trisha Newport, OFM	Phone: (360) 902-0417	Date Published: Final 4/ 3/2019
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Judicial Impact Fiscal Note

Bill Number: 5492 S SB	Title: Motor vehicle felonies	Agency: 055-Administrative Office of the Courts
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Part I: Estimates



No Fiscal Impact

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

Check applicable boxes and follow corresponding instructions:



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



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



Capital budget impact, complete Part IV.

Legislative Contact	Omeara Harrington	Phone: 360-786-7136	Date: 03/13/2019
Agency Preparation:	Pam Kelly	Phone: 360-705-5318	Date: 03/15/2019
Agency Approval:	Ramsey Radwan	Phone: 360-357-2406	Date: 03/15/2019
OFM Review:	Ramona Nabors	Phone: (360) 902-0547	Date: 03/15/2019

Request # 5492 SSB-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

Part IV: Capital Budget Impact

Part II: Narrative Explanation

This bill would allow a court to sentence an offender to community custody for a period of six to twelve months when the person is being sentenced for theft of a motor vehicle, possession of a stolen vehicle, and taking a motor vehicle without permission. This bill would also require the Department of Corrections to report to the governor and appropriate committees analyzing the effectiveness of community supervision in reducing recidivism among offenders committing felonies related to motor vehicle theft.

This bill differs 5492 SB by adding language that would make an offender ineligible for earned release time under RCW 9.94A.729 in excess of one-third of the total sentence.

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

Section 1(1) – Would establish a pilot program for the supervision of offenders convicted of felonies related to the motor vehicle theft. This bill would provide that a participating court may sentence an offender to community custody for a term of one year when the midpoint of the standard sentence range is greater than one year and the person is being convicted of felony crimes related to motor vehicle theft.

Section 1(2) – Would require that the Department of Corrections conduct an assessment of the offender and identify services that would address the offender's needs and whenever possible, make available the recommended services.

Section 1(4) – Would make an offender ineligible for earned release time under RCW 9.94A.729 in excess of one-third of the total sentence.

Section 1(4) – Would require the Department of Corrections to submit a report, no later than November 1, 2025 to the governor and committees of the legislature analyzing the effectiveness of community supervision in reducing recidivism among offenders committing felonies related to motor vehicle theft.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

No fiscal impact to the courts.

Individual State Agency Fiscal Note

Bill Number: 5492 S SB	Title: Motor vehicle felonies	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: 03/13/2019
Agency Preparation: Ed Vukich	Phone: 360-664-9374	Date: 03/13/2019
Agency Approval: Ed Vukich	Phone: 360-664-9374	Date: 03/13/2019
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 03/22/2019

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.

SSB 5492

SENTENCING MOTOR VEHICLE-RELATED FELONIES

**101 – Caseload Forecast Council
March 13, 2019**

SUMMARY

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

- Section 1 where an offender is being sentenced to a non-alternative sentence to prison for Theft of a Motor Vehicle, Possession of a Stolen Vehicle, Taking a Motor Vehicle Without Permission in the First Degree or Taking a Motor Vehicle Without Permission in the Second Degree, the court may sentence the offender to six to 12 months of community custody while reducing the confinement term (not to exceed the midpoint of the standard range) by one-third of the ordered term of community custody.
- Section 1 additionally requires the Department of Corrections, in consultation with the Washington State Institute for Public Policy, to submit a report to the Governor and the Legislature by November 1, 2025, analyzing the effectiveness of supervision in reducing recidivism for the offenders sentenced under the Section.
- Section 1 additionally sets an expiration date of June 30, 2026, for the Section.
- Section 2 amends supervision provisions by allowing for supervision under Section 1.
- Section 3 amends sentencing provisions by allowing for sentencing under Section 1.

Given the above provisions:

- More offenders will be sentenced to supervision while receiving less confinement.

EXPENDITURES

Assumptions.

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

- CFC = Caseload Forecast Council
- DOC = Department of Corrections
- FY = Fiscal Year
- DOSA = Drug Offender Sentencing Alternative
- Sentences are based on CFC FY18 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).
- Sentences are distributed evenly by month.
- Exceptional sentences are excluded.
- Sentences to alternatives are excluded.
- Proposed policy sentences all receive the maximum term of supervision of 12 months.
- Proposed policy sentences are resentenced to the mid-point of the standard range, less four months.
- For prison (non-DOSA) sentences, length of stay in prison is calculated using figures for average percentage of sentence served in prison, which is based on DOC FY18 data for non-DOSA offenders for the appropriate DOC Crime Categories, and they are calculated by CFC.
- Bed impacts for prison sentences are calculated with a discount factor (prison sentences versus actual prison admissions), which is based on CFC and DOC FY18 data for the CFC Crime Forecasting Category of Property, and it is calculated by the CFC.
- Bed impacts are calculated with a phase-in factor, based on CFC FY16 through FY18 data for the appropriate DOC Crime Categories, and they are calculated by the CFC.

Impact on the Caseload Forecast Council.

None.

Impact on prison and jail beds.

This bill:

- Allows for sentencing certain offenders to supervision in exchange for reduced confinement.

The following figures are illustrative in nature only. Since the CFC has no information with which to predict what terms of supervision offenders might actually receive, the CFC cannot reliably estimate bed and supervision impacts.

The bed impacts below assume each sentence receives the maximum of 12 months of supervision and, therefore, four months off the standard range midpoint for confinement.

The bill will result in a maximum jail bed impact of 40 beds, first reached at 51 months after implementation. Additionally, the bill will result in no prison (DOSA) bed impact and a maximum prison (non-DOSA) bed impact of -129 beds, first reached at 77 months after implementation.

Average Monthly Population Jail and Prison Impacts
SSB 5492 - Sentencing of Motor Vehicle-Related Felonies
Caseload Forecast Council
March 13, 2019

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Jail AMP	4	25	34	38	40	40	40	40	40	40
Prison AMP (DOSA)	0	0	0	0	0	0	0	0	0	0
Prison AMP (Non-DOSA)	-13	-61	-94	-116	-124	-128	-129	-129	-129	-129
Prison AMP (Total)	-13	-61	-94	-116	-124	-128	-129	-129	-129	-129

In addition to the bed impacts, there are supervision impacts. However, the CFC cannot estimate supervision impacts when the underlying confinement sentence has changed in length. However, the 625 sentences that could potentially change length under the bill is discounted to an estimated 524 offenders. Therefore, potentially 524 offenders could receive six to 12 months of supervision (the bed impact analysis assumed 12 months).

Individual State Agency Fiscal Note

Bill Number: 5492 S SB	Title: Motor vehicle felonies	Agency: 310-Department of Corrections
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

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: 03/13/2019
Agency Preparation: Alan Haskins	Phone: 360-725-8264	Date: 03/18/2019
Agency Approval: Michael Steenhout	Phone: 360-725-8270	Date: 03/18/2019
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 03/22/2019

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 authorizes a court to sentence an offender to community custody for a period of six to twelve months when the midpoint of the standard sentence range is greater than one year and the person is being sentenced for one of the following crimes: Theft of a motor vehicle, possession of a stolen vehicle, attempted theft or possession of a stolen vehicle, or taking a motor vehicle without permission in the first or second degree.

Section 1 further requires the Department of Corrections (DOC) to: (1) Conduct an assessment of the individual under the jurisdiction of DOC and identify programming and services that would be appropriate to address his or her needs; and (2) to the extent possible, DOC is to make the programming identified by the assessment available while the individual is on community custody. (3) An individual receiving a sentence under this section is not eligible for earned release time under RCW 9.94A.729 in excess of one-third of the total sentence.

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.

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 fiscal impact of this bill is indeterminate, assumed to be greater than \$50,000 per Fiscal Year (FY).

This bill provides a change in sentencing for those convicted of attempt or theft of a motor vehicle, attempt to possess or possession of a stolen vehicle, or taking a motor vehicle in the first and second degree.

The changes allow a court to impose a term of community custody between six and 12 months when an individual is convicted of one of the eligible offenses and has a presumptive prison sentence. If the court chooses to order supervision, the court is limited in ordering the term of confinement to not exceed the midpoint of the standard range, reduced by the by one-third of the term of community custody.

The sentencing change sunsets on June 30, 2026 and requires DOC, with consultation from the Washington State Institution of Public Policy, to submit a report to the legislature by November 1, 2025. Based on bill language, to be eligible, an individual would need to have committed the offense on or after the effective date of the bill and before July 1, 2026.

The Caseload Forecast Council (CFC) has no information with which to predict what terms of supervision individuals might actually receive, CFC cannot reliably estimate bed and supervision impacts.

The following figures are illustrative in nature only.

The bed impacts below assume each eligible sentence includes the maximum of 12 months of supervision and,

therefore, a four month reduction from the midpoint of the standard range for confinement.

If the court imposes the maximum community supervision allowed for each eligible sentence, the bill would result in a maximum jail bed impact of 40 beds, first reached at 51 months after implementation. Additionally, the bill will result in no prison Drug Offender Sentencing Alternative (DOSA) bed impact and a maximum prison (non-DOSA) bed impact of -129 beds, first reached at 77 months after implementation. The shift of individuals from prison to jail would occur when the four months reduction in confinement results in a sentence of 12 months or less.

The CFC Prison ADP impact estimate is based on a maximum of 12 months supervision, resulting in a four month reduction of confinement for eligible sentences.

FY2020 -13 ADP;
FY2021 -61 ADP;
FY2022 -94 ADP;
FY2023 -116 ADP;
FY2024 -124 ADP; and
FY2025 -128 ADP.

Prison Cost Calculations (rounded to the nearest thousand):

FY2020: -13 ADP X \$14,427 Average Unit Cost (AUC) = -\$188,000;
FY2021: -61 ADP X \$14,427 AUC = -\$880,000;
FY2022: -94 ADP X \$14,427 AUC = -\$1,356,000;
FY2023: -116 ADP X \$14,427 AUC = -\$1,674,000;
FY2024: -124 ADP X \$14,427 AUC = -\$1,789,000; and
FY2025: -128 ADP X \$14,427 AUC = -\$1,847,000.

Continuing with this illustration, assuming Prison ADP savings are based on four months per individual then Community Supervision ADP is estimated at three times this amount or 12 months of Supervision

Community Supervision Cost Calculations (rounded to the nearest thousand):

FY2020: 39 ADP (13 ADP X 3). Phase in or timing factor for year one is estimated at 75%. 39 ADP X 75% = 29 ADP X \$4,340 Annual Supervision Cost = \$126,000;
FY2021: 183 ADP (61 ADP X 3) X \$4,340 = \$794,000;
FY2022: 282 ADP (94 ADP X 3) X \$4,340 = \$1,224,000;
FY2023: 348 ADP (116 ADP X 3) X \$4,340 = \$1,510,000;
FY2024: 372 ADP (124 ADP X 3) X \$4,340 = \$1,614,000; and
FY2025: 384 ADP (128 ADP X 3) X \$4,340 = \$1,667,000.

INFORMATION TECHNOLOGY IMPACT:

Programming is required to update the sentencing structure requirements of this bill in the Offender Management Network Information (OMNI) system. This estimate is based on the assumption DOC would use contractor staffing to complete this work. The DOC assumes the following staff would be needed to complete the development, testing and implementation of the upgrades:

- a. One (1) Business Analyst would be needed to interface with the development requirements for the new feature/change, estimated at 200 hours at an hourly rate of \$80.00 for a total of \$16,000.
- b. One (1) Technical Analyst would be needed to put together the technical design of the new feature/change for the coders to turn into code, estimated at 200 hours at an hourly rate of \$80.00 for a total of \$16,000.
- c. One (1) Tester would be needed to test the new functionality to ensure it meets the business requirement and

does not break any existing applications, estimated at 200 at an hourly rate of \$80.00 for a total of \$16,000.

d. One (1) Developer would be needed to code the application, estimated at 400 hours at an hourly rate of \$100 for a total of \$40,000.

Total one-time Information Technology Impact of \$88,000.

Section 1(4) requires DOC to provide a report to be presented to the governor and appropriate legislative committees by November 1, 2025, analyzing the effectiveness of supervision in reducing recidivism among individuals committing felonies relating to the theft or taking of a motor vehicle. A Management Analyst selected through the Department of Enterprise Services 2-Tier Master Contracts is required to ensure the proper resources are available to provide a full comprehensive report by the due date.

The DES 2-Tier contractor compensation rate will match the average Tier-2 rate currently at DOC (\$75.00 per hour), would be selected by July 2025, and would need 520 hours to complete the report.

$\$75 \text{ per hour} \times 520 \text{ hours} = \$39,000$

AGENCY-WIDE TOTAL IMPACT for Illustration only:

FY2020: \$26,000;

FY2021: -\$86,000;

FY2022: -\$132,000;

FY2023: -\$164,000;

FY2024: -\$175,000; and

FY2025: -\$141,000.

ASSUMPTIONS:

1. The estimated ADP impacts to DOC prison facilities/institutions and/or community supervision/violator caseloads are based on projections from CFC.

2. We assume an AUC of \$14,427 per incarcerated individual per FY to facilitate cost discussions 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. The AUC is calculated by DOC and reviewed and approved with Office of Financial Management, Senate, and House staff each legislative session.

3. For illustration purposes only, the average annual, Community Supervision caseload model is \$4,340 per ADP, regardless of supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records and Training that are directly affected by supervision population changes. The estimate will vary based on risk level of the supervised individuals, which requires different staffing levels. The latest population trend data available, provides a risk level of 42.8% high violent; 27.3% high non-violent; 21% moderate; 7.9% low; and 1.0% unclassified. (June – November 2017).

4. The DOC assumes that any increase in community supervision caseload will result in an increased need for violator beds. For illustration, the FY2018 average percentage of supervised individuals that served jail time for

violating their conditions of supervision was a rate of 6.5%. The current average daily cost for jail beds is \$87.14 per day, inclusive of all risk levels. The rate is an average and actual rates vary by local correctional facilities.

5. We assume any additional impacts will result when ADP caseload changes in either prison or community, and resources will be necessary. The DOC will “true up” our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

6. We assume that modifications to the OMNI may be required to implement the legislation and that this change will need to go through OMNI governance. Business requirements, development and testing may be necessary requiring a need for additional resources.

7. We assume assessments and identified programming needs for individuals will be provided within DOC resources to the extent possible while on community supervision. If additional resources are deemed necessary, DOC will submit a funding request in subsequent budget submittals.

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

Revised

Bill Number: 5492 S SB	Title: Motor vehicle felonies	Agency: 376-The Evergreen State College
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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: 03/13/2019
Agency Preparation: Catherine Nicolai	Phone: (360) 664-9087	Date: 03/22/2019
Agency Approval: Holly Joseph	Phone: 360-867-6652	Date: 03/22/2019
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 03/27/2019

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.

Sec. 1(5) of SSB 5492 directs the Department of Corrections to consult with the Washington State Institute for Public Policy in guiding its data tracking efforts and preparing the report. WSIPP's role in Sec.1(5) is de minimis and can be covered within existing resources.

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5492 S SB	Title: Motor vehicle felonies
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☒ Counties: Costs for jails
- ☐ 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: Terms of supervision offenders would receive, impacting sentence length

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: 03/18/2019
Leg. Committee Contact: Omeara Harrington	Phone: 360-786-7136	Date: 03/13/2019
Agency Approval: Renee Martine-Tebow	Phone: 360-725-5045	Date: 03/18/2019
OFM Review: Trisha Newport	Phone: (360) 902-0417	Date: 03/22/2019

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 FROM PRIOR BILL VERSION:

The changes in the substitute do not affect the indeterminate nature of local government impacts discussed below.

SUMMARY OF CURRENT BILL VERSION:

Sec. 1 adds a new section to RCW 9.94A. A court may sentence an offender to community custody for a period of six to twelve months when the midpoint of the standard sentence range is greater than one year and the person is being sentenced for one of the following crimes: (a) Theft of a motor vehicle; (b) Possession of a stolen vehicle; (c) Taking a motor vehicle without permission in the first degree; (d) Taking a motor vehicle without permission in the second degree; or (e) Attempt of (a) or (b) of this subsection.

For purposes of this section, the offender's sentence of incarceration may not exceed the mid-point of the standard sentence range reduced by one-third of the ordered term of community custody.

An offender receiving a sentence under this section is not eligible for earned release time under RCW 9.94A.729 in excess of one-third of the total sentence.

This section expires June 30, 2026.

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 an indeterminate impact on county jails. The Caseload Forecast Council has no information with which to predict what terms of supervision offenders might actually receive, and so cannot reliably estimate bed and supervision impacts. The bed impacts below assume each sentence receives the maximum of 12 months of supervision and, therefore, four months off the standard range midpoint for confinement.

The average cost for a county jail bed is \$114 per day. The costs listed below represent the estimated increase in ADP for each year and corresponding costs.

FY20 4 beds =\$166,440
FY21 25 beds =\$1,040,250
FY22 34 beds =\$1,414,740
FY23 38 beds =\$1,581,180
FY24 40 beds =\$1,664,400
FY25 40 beds =\$1,664,400

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:

Caseload Forecast Council