

Multiple Agency Fiscal Note Summary

Bill Number: 5127 E S SB AMH APP H2706.1	Title: Brain injury fee increase
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Estimated Cash Receipts

Agency Name	2019-21		2021-23		2023-25	
	GF- State	Total	GF- State	Total	GF- State	Total
Administrative Office of the Courts	0	3,573,414	0	3,898,270	0	3,898,270
Total \$	0	3,573,414	0	3,898,270	0	3,898,270

Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
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
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
University of Washington	.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									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
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
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
University of Washington	.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

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Prepared by: Ramona Nabors, OFM	Phone: (360) 902-0547	Date Published: Final 4/16/2019
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Judicial Impact Fiscal Note

Bill Number: 5127 E S SB AMH APP H2706.1	Title: Brain injury fee increase	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2020	FY 2021	2019-21	2021-23	2023-25
Traumatic Brain Injury Account-State 12T-1	1,624,279	1,949,135	3,573,414	3,898,270	3,898,270
Counties					
Cities					
Total \$	1,624,279	1,949,135	3,573,414	3,898,270	3,898,270

Estimated Expenditures from:

COUNTY	FY 2020	FY 2021	2019-21	2021-23	2023-25
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2020	FY 2021	2019-21	2021-23	2023-25
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.

Contact	Phone:	Date: 04/04/2019
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 04/04/2019
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 04/04/2019
OFM Review: Ramona Nabors	Phone: (360) 902-0547	Date: 04/04/2019

Request # 5127 ESSB-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)

<u>State</u>	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years					
Total \$					

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

<u>County</u>	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years					
Total \$					

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

<u>City</u>	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years					
Total \$					

Part IV: Capital Budget Impact

Part II: Narrative Explanation

This bill would increase the Traumatic Brain Injury (TBI) Fee from \$2.00 to \$5.00 per traffic infraction. The bill would provide that the TBI fee may not be reduced or waived.

This bill amendment would add language that would require the Department of Social and Health Services (DSHS) to disburse the incremental revenue from the fee increase in a diverse manner to include rural areas of the state.

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

Section 1(7)(c) – Would increase the TBI fee from \$2.00 to \$5.00 per traffic infraction. Would provide that under no circumstances shall this fee be reduced or waived.

Section 2 – Would direct the deposit of the TBI fee to the Traumatic Brain Injury Account. Would provide that the Department of Social and Health Services (DSHS) must make every effort to disburse the incremental revenue that is the result of this fee increase in a diverse manner to include rural areas of the state.

II.B - Cash Receipt Impact

This bill would increase the TBI fee from \$2.00 to \$5.00 per infraction, and would make the TBI fee non-waivable and non-reducible.

To provide an estimate of TBI revenue that would result from this increase, five years of actual TBI revenue was reviewed. Table I, below, displays actual TBI revenue during the period 2014 through 2018.

Table I – TBI Revenue

Fiscal Year	TBI Revenue
2014	1,368,756
2015	1,398,418
2016	1,331,537
2017	1,157,851
2018	1,240,554

The following assumptions were used to provide an estimate of the increased revenue that would result from this bill.

- The current TBI fee is \$2.00 per infraction. This bill would raise this to \$5.00, a 250 percent increase.
- This bill would provide that the fee is both non-waivable and non-reducible.
- Based on the data in Table I, the average annual revenue during this five-year period was \$1,299,423.
- Thus, it is estimated that the increased fee will result in an average additional \$1,949,135 per fiscal year.

This bill does not include an effective date, so it is assumed the bill will be effective July 1, 2019. For purposes of this analysis, it is assumed that the revenue impacts would begin in September 2019. Thus, the first year of estimated revenue has been adjusted.

II.C – Expenditures

The fee increase would require update to all relevant infraction law table entries, including all local law tables. This would be managed within existing resources.

The online penalty calculator would need to be modified. This would be managed within existing resources.

Modifications would be required to judicial information systems for the accounting changes that would be required. This would be managed within existing resources.

Judicial education would be required regarding the non-waivable and non-reducible status of the TBI fee. This would be managed within existing resources.

Individual State Agency Fiscal Note

Bill Number: 5127 E S SB AMH APP H2706.1	Title: Brain injury fee increase	Agency: 300-Department of Social and Health Services
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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:	Phone:	Date: 04/04/2019
Agency Preparation: Mickie Coates	Phone: 360-902-8077	Date: 04/05/2019
Agency Approval: Molli Ragsdale	Phone: 360-664-5731	Date: 04/05/2019
OFM Review: Bryce Andersen	Phone: (360) 902-0580	Date: 04/08/2019

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.

The fees collected RCW 46.63.110(7)(c) and deposited into the Traumatic Brain Injury Account have been less than the current Department of Social and Health Services (DSHS) appropriation from this account. Due to insufficient funding to support the appropriation level, DSHS spending on the activities specified in RCW 74.31.060 have been below the current appropriation for such activities. It is assumed that under passage of this legislation, deposits to the Traumatic Brain Injury Account will increase but the DSHS appropriation from this account will not change.

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

Bill Number: 5127 E S SB AMH APP H2706.1	Title: Brain injury fee increase	Agency: 360-University of Washington
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Part I: Estimates

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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:	Phone:	Date: 04/04/2019
Agency Preparation: Jessie Friedmann	Phone: 206-685-8868	Date: 04/08/2019
Agency Approval: Kelsey Rote	Phone: 2065437466	Date: 04/08/2019
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 04/14/2019

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.

5127 ES SB AMH APP H2706.1 pertains to the use of state revenue collected through the Traumatic Brain Injury (TBI) Account fee.

The Proposed Substitute makes the following changes from the previous version of the bill:

- Removes language that allows the incremental revenue from the Traumatic Brain Injury (TBI) Account fee increase to be used for additional activities.
- Adds language that requires the DSHS to disburse the incremental revenue from the fee increase in a diverse manner to include rural areas of the state.
- Modifies the composition of the Washington TBI Strategic Partnership Advisory Council.

These changes remove the requirement for UW to develop and maintain a repository of information on concussion impacts and treatment. Thus, this version of the bill would have no fiscal impact on UW.

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: 5127 E S SB AMH APP H2706.1	Title: Brain injury fee increase
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

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

Part II: Estimates

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

Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 04/11/2019
Leg. Committee Contact:	Phone:	Date: 04/04/2019
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 04/11/2019
OFM Review: Ramona Nabors	Phone: (360) 902-0547	Date: 04/16/2019

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 amended version of the bill removes language that allows the incremental revenue from the Traumatic Brain Injury (TBI) Account fee increase to be used for additional activities. It further adds language that requires the Department of Social and Health Services (DSHS) to disburse the incremental revenue from the fee increase in a diverse manner to include rural areas of the state.

These changes do not create fiscal impacts for local governments.

SUMMARY OF CURRENT BILL VERSION:

Section 1 amends RCW 46.63.110 to increase a fee for traffic infractions by \$3, which is directed to the Traumatic Brain Injury Account. Under no circumstances shall this fee be reduced or waived.

Section 2 directs DSHS to make every effort to disburse the incremental revenue that is the result of the fee increase in a diverse manner to include rural areas of the state.

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 governments. Please note that court impacts, including judicial costs, clerk costs, and court fees, are described in fiscal notes prepared by the Administrative Office of the Courts (AOC). Local government fiscal notes include city and county expenditures for law enforcement investigations and arrests, indigent defenders, 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 impact for local government.

SOURCES:

Administrative Office of the Courts



Multiple Agency Ten-Year Analysis Summary

Bill Number	Title
5127 E S SB AMH APP H2706.1	Brain injury fee increase

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

Estimated Cash Receipts

	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	2020-29 TOTAL
Administrative Office of the Courts	1,624,279	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	19,166,494
Department of Social and Health Services	0	0	0	0	0	0	0	0	0	0	0
University of Washington	0	0	0	0	0	0	0	0	0	0	0
Total	1,624,279	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	19,166,494



Ten-Year Analysis

Bill Number 5127 E S SB AMH APP H2706.1	Title Brain injury fee increase	Agency 055 Administrative 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

☐

Partially Indeterminate Cash Receipts

☐

Indeterminate Cash Receipts

Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	2020-29 TOTAL
TBI Fee	12T	1,624,279	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	19,166,494
Total		1,624,279	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	1,949,135	19,166,494
Biennial Totals		3,573,414	3,898,270		3,898,270		3,898,270		3,898,270		19,166,494	

Narrative Explanation (Required for Indeterminate Cash Receipts)

Increases the existing \$2 per infraction fee to \$5 per infraction. Fee cannot be waived or reduced.

Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 4/4/2019 2:02:47 pm
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 4/4/2019 2:02:47 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5127 E S SB AMH APP H2706.1	Title Brain injury fee increase	Agency 300 Department 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** ☐ **Partially Indeterminate Cash Receipts** ☐ **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											
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Agency Preparation: Mickie Coates	Phone: 360-902-8077	Date: 4/5/2019 12:13:27 pm
Agency Approval: Molli Ragsdale	Phone: 360-664-5731	Date: 4/5/2019 12:13:27 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5127 E S SB AMH APP H2706.1	Title Brain injury fee increase	Agency 360 University of Washington
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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** ☐ **Partially Indeterminate Cash Receipts** ☐ **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											
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Agency Preparation: Jessie Friedmann	Phone: 206-685-8868	Date: 4/8/2019 9:50:21 am
Agency Approval: Kelsey Rote	Phone: 2065437466	Date: 4/8/2019 9:50:21 am
OFM Review:	Phone:	Date: