

Multiple Agency Fiscal Note Summary

Bill Number: 5054 E SB	Title: Impaired driving
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Estimated Cash Receipts

NONE

Agency Name	2021-23		2023-25		2025-27	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	Fiscal note not available					
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2021-23				2023-25				2025-27			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Licensing	.0	0	0	268,000	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	Fiscal note not available											
Total \$	0.0	0	0	268,000	0.0	0	0	0	0.0	0	0	0

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2021-23			2023-25			2025-27		
	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 Licensing	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	Fiscal note not available								
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Cynthia Hollimon, OFM	Phone: (360) 810-1979	Date Published: Preliminary 2/16/2022
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Judicial Impact Fiscal Note

Bill Number: 5054 E SB	Title: Impaired driving	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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 for 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: Sarian Scott	Phone: 360-786-7729	Date: 02/11/2022
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 02/15/2022
Agency Approval: Stanley Chris	Phone: 360-704-4020	Date: 02/15/2022
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/16/2022

175,580.00

Request # 5054 ESB-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)

NONE

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

NONE

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

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and dexcribe potential financing methods

NONE

Part II: Narrative Explanation

This bill would change the “look back period” for prior offenses from ten years to fifteen years for the purposes of determining whether the current offense of impaired driving is a felony. The bill would create a new drug offender sentencing alternative for individuals convicted of felony impaired driving offenses.

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

II.B - Cash Receipt Impact

None.

II.C – Expenditures

The law tables, DUI Sentencing Grid, and DUI Sentencing Attachment, and criminal procedure bench book would need to be updated. Minor forms revisions would be required. Judicial education would be required. These impacts would be managed within existing resources.

Individual State Agency Fiscal Note

Bill Number: 5054 E SB	Title: Impaired driving	Agency: 101-Caseload Forecast Council
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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: Sarian Scott	Phone: 360-786-7729	Date: 02/11/2022
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 02/15/2022
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 02/15/2022
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/15/2022

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 attached.

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 attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB

NONE

Part V: New Rule Making Required

ESB 5054

CONCERNING IMPAIRED DRIVING

101 – Caseload Forecast Council

February 14, 2022

SUMMARY

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

- Section 1 Adds a new section to chapter 9.94A RCW that establishes the Drug Offender Sentencing Alternative for Driving under the Influence (DOSA DUI). Eligibility for a convicted defendant is when the defendant:
- Does not have a prior conviction under RCW 46.61.520 (Vehicular Homicide), 46.61.522 (Vehicular Assault), 46.61.502(6) (Felony DUI), or 46.61.504(6)) (Felony Physical Control); and
 - Is convicted of felony driving or physical control of a vehicle under the influence of intoxicating liquor, marijuana, or any drug under RCW 46.61.502(6)(a) or felony physical control of a vehicle 46.61.504(6)(a).
- Section 1 Additionally, states if the court determines that the offender is eligible and that the alternative sentence is appropriate, the court shall waive the imposition of a sentence within the standard range and:
- Impose a sentence equivalent to a prison-based DOSA under RCW 9.94A.662 and subject to the same requirements and restrictions in that section if the low end of the standard range is greater than 24 months (Prison DOSA DUI); or
 - Impose a sentence equivalent to a residential treatment-based alternative consistent with this section if the low end of the standard range is 24 months or less (Residential DOSA DUI).
- Section 1 Additionally states the court may order the Department to complete either a risk assessment report or a substance use disorder screening report, or both.
- Section 1 Additionally allows the court to order an examination of the offender by the Department, when considering imposing a sentence under Residential DOSA DUI and states what is required in the examination.
- Section 1 Additionally states that an offender who is eligible for Residential DOSA DUI may be sentenced as follows:
- Indeterminate term of confinement of no more than 30 days (if necessary) in a county facility in order to facilitate direct transfer to a residential substance use disorder treatment program;
 - Treatment in a residential substance use disorder treatment program for a period set by the court of up to 6 months;
 - 24 months of partial confinement consisting of 12 months of work release followed by 12 months of home detention with electronic monitoring; and
 - 12 months of community custody.
- Section 2 Amends RCW 9.94A.030 by adding a definition for “Drug Offender Sentencing Alternative for Driving under the Influence” (DOSA DUI).

- Section 3 Amends RCW 9.94A.190 by requiring confinement for sentences imposed under the Drug Offender Sentencing Alternative for Driving under the Influence to be served at a state facility, regardless of the length of confinement.
- Section 4 Amends RCW 9.94A.501 by adding the sentencing alternatives established in Section 1 to sentences in which the Department must supervise, regardless of risk.
- Section 5 Amends RCW 9.94A.505(2)(a) to include the DOSA DUI alternatives.
- Section 6 Amends RCW 9.94A.525 by making a technical correction to the scoring rules for Failure to Register as a Sex Offender.
- Section 7 Amends RCW 9.94A.633 to include the DOSA DUI alternatives.
- Section 8 Amends RCW 9.94A.6332 to include the DOSA DUI alternatives.
- Section 9 Amends RCW 9.94A.660 changing eligibility for Prison DOSA by adding the DOSA DUI to the restriction that an individual may not have received a DOSA or DOSA DUI more than once in the ten years prior to the current offense.
- Section 10 Amends RCW 9.94A.701 to include references to the DOSA DUI alternatives in the requirement for community custody ordered by the court.
- Section 11 Amends RCW 46.61.502 by replacing the 10-year lookback limit for including prior offenses for the ranked Class B felony offense of Driving Under the Influence (RCW 46.61.502(6)) with a 15-year limit (ranked at Seriousness Level IV on the Adult Felony Sentencing Grid and as a Category B+ on the Juvenile Offender Sentencing Grid).
- Section 12 Amends RCW 46.61.5055 by replacing the 10-year lookback limit for including prior offenses for the ranked Class B felony offense of Driving Under the Influence (RCW 46.61.502(6)) and the ranked Class C felony offense of Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6)) with a 15-year limit (Ranked at Seriousness Level IV on the Adult Felony Sentencing Grid and as a Category B+ on the Juvenile Offender Sentencing Grid).
- Section 13 Amends RCW 46.61.504 by replacing the 10-year lookback limit for including prior offenses for the ranked Class C felony offense of Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6)) with a 15-year limit (ranked at Seriousness Level IV on the Adult Felony Sentencing Grid and as a Category B+ on the Juvenile Offender Sentencing Grid).
- Section 14 States sections 1-11 of the act take effect July 1, 2022.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

The provisions of this bill will require modifications to the Caseload Forecast Council's adult felony sentencing database. This will require work from a contractor of an estimated 10 hours at a rate of \$120 per hour for a total cost to the Caseload Forecast Council of \$1,200.

Impact on prison and jail beds and community corrections population:

This bill creates two new sentencing alternatives for courts to consider when sentencing individuals convicted of felony driving or physical control of a vehicle under the influence of intoxicating liquor, marijuana, or any drug and extends the time period that can be considered for

the counting of prior offenses when determining the felony-level offenses of Driving Under the Influence and Physical Control of a Vehicle While Under the Influence from 10 years to 15 years.

The Caseload Forecast Council cannot reliably predict bed impacts resulting from the bill as it is unknown how often the court will waive imposition of a standard range sentence and impose either a Prison DOSA DUI or Residential DOSA DUI. However, below is information provided as to give a sense of the impacts.

Lookback Period

Counting “prior offenses” (as defined in RCW 46.61.5055(14)) for determining the classification (gross misdemeanor or felony) of driving under the influence/actual physical control offenses will now be increased to 15 years, rather than 10 years, resulting in more felony level offenses.

Prison and Jail Bed Impacts – Lookback Period:

Based on Calendar Year 2019 data from the Administrative Office of the Courts, it is estimated that extending the lookback period will result in a maximum jail bed impact of 19 beds, first reached at 83 months after implementation. Additionally, the bill will result in a maximum Prison bed impact of 151 beds (approximately 15.7% female and 84.3% male), first reached at 81 months after implementation.

However, the estimates below are most likely overstated as they do not include any savings that would be achieved if any of the sentences for this additional population would serve a reduced prison sentence under Prison DOSA DUI or be diverted from prison through the Residential DOSA DUI alternatives.

Average Monthly Population Jail and Prison Impacts

ESB 5054 Impaired Driving

Caseload Forecast Council

February 14, 2022

	Fiscal Year									
	FY23	FY234	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
Jail AMP	6	17	18	18	18	18	18	19	19	19
Prison AMP (DOSA)	0	0	0	0	0	0	0	0	0	0
Prison AMP (Non-DOSA)	24	91	128	146	150	150	150	151	151	151
Prison AMP (Total)	24	91	128	146	150	150	150	151	151	151

Supervision – Lookback Period:

Individuals convicted of Felony DUI/APC offenses have 12 months of community supervision after release, regardless of their level of risk to reoffend. Based on all new sentences that result from the lookback change receiving 12 months community supervision, the bill will result in a maximum Department of Corrections community custody supervision impact of 142 offenders, first reached at 91 months after implementation.

The use of the Residential DOSA DUI alternative would not impact the estimates below as the community custody term is the same under the alternatives as it is following a standard range sentence (12 months).

The use of Prison DOSA DUI alternative may increase the need for community supervision because an individual is supervised for ½ the midpoint of the standard range. As the eligibility for Prison DOSA DUI is limited to those with a low end of the standard range that exceeds 24 months, ½ the midpoint of the standard range would result in a term of supervision exceeding 12 months.

**ESB 5054 - Impaired Driving
Caseload Forecast Council
February 14, 2022**

	Fiscal Year									
	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY33
Supervision AMP	2	45	103	123	137	141	141	141	142	142

New Alternatives

Under the alternatives established in the bill, the court may either impose a sentence under prison DOSA requirements (½ the midpoint of the standard range in confinement and ½ the midpoint in community custody) if the low end of the standard range exceeds 24 months; or, if the low end of the range is 24 months or less, to a residential treatment option which includes up to 6 months of treatment, 12 months of work release, 12 months of electronic home monitoring, followed by 12 months of community custody.

While the impacts of the establishing the new alternatives are unknown, it is assumed under the Prison DOSA DUI alternative, there would be reduced confinement and added community custody, resulting in prison bed reductions and increases to the Department's community custody population. For sentences under Residential DOSA DUI there may be reductions to confinement, added electronic monitoring, and no impact to community custody as the bill requires 12 months of community custody, which is the same as currently required.

The following tables shows the number of sentences that have been imposed in FY 2019, FY 2020, and FY2021 for Felony DUI and Felony Physical Control. This is provided to show the potential population that could be considered for the alternatives. In addition, extending the lookback period from 10 years to 15 years will result in additional sentences that could be considered for the alternatives.

Felony DUI Sentences:

Fiscal Year	Prison Sentences		Non-prison Sentences*		Total Sentences
	# of Sentences	% Prison	# of Sentences	% Jail	
FY21	77	67%	38	33%	115
FY20	101	75%	33	25%	134
FY19	119	74%	42	26%	161

* Non-prison sentences may be a result of an alternative sentence, a mitigated exceptional sentence, or other factor.

Felony Physical Control Sentences:

Fiscal Year	Prison Sentences		Non-prison Sentences*		Total Sentences
	# of Sentences	% Prison	# of Sentences	% Jail	
FY21	1	50%	1	50%	2
FY20	5	83%	1	17%	6
FY19	4	100%	0	0%	4

* Non-prison sentences may be a result of an alternative sentence, a mitigated exceptional sentence, or other factor.

Juvenile Impact.

There is no juvenile impact, as there has never been a case of felony DUI/APC.

Individual State Agency Fiscal Note

Bill Number: 5054 E SB	Title: Impaired driving	Agency: 240-Department of Licensing
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
Account					
Highway Safety Account-State 106 -1	0	268,000	268,000	0	0
Total \$	0	268,000	268,000	0	0

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.
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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sarian Scott	Phone: 360-786-7729	Date: 02/11/2022
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 02/15/2022
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 02/15/2022
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/15/2022

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 attached fiscal note

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

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
106-1	Highway Safety Account	State	0	268,000	268,000	0	0
Total \$			0	268,000	268,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services		268,000	268,000		
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-					
Total \$	0	268,000	268,000	0	0

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part I and Part IIIA
NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: ESB 5054

Bill Title: Impaired Driving

Part 1: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts:

NONE

Estimated Expenditures:

		FY 22	FY 23	21-23 Total	23-25 Total	25-27 Total
FTE Staff Years		-	-	-	-	-

Fund Name	Fund	FY 22	FY 23	21-23 Total	23-25 Total	25-27 Total
Highway Safety	106	-	268,000	268,000	-	-
Account Totals		-	268,000	268,000	-	-

The revenue 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 the fiscal impact is **less than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☒ 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.
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sarian Scott	Phone: (360) 786-7729	Date: 2/11/2022
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 2/15/2022
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date: 2/15/2022

Request #	1
Bill #	5054 ESB

Part 2 – Explanation

This bill amends current impaired driving statutes to change the look back period to 15 years for certain class B and class C felonies for three or more prior impaired driving offenses.

ESB 5054 compared to SB 5054: ESB 5054 creates a new drug offender sentencing alternative for persons convicted of felony impaired driving. This change does not have an impact on the department.

2.A – Brief Description Of What The Measure Does That Has Fiscal Impact

Section 11 amends RCW 46.61.502 to change the 10 year look back provision to a 15 year look back provision.

Section 12 amends RCW 46.61.5055 to change the 10 year look back provision to a 15 year look back provision for the penalty schedule that becomes effective January 1, 2022.

Section 13 amends RCW 46.61.504 to change the 10 year look back provision to a 15 year look back provision.

Section 14 establishes an effective date of July 1, 2022 for sections 1 through 11.

2.B - Cash receipts Impact

There are no cash receipts for DOL associated with implementation of this bill. Any increased monetary penalties for persons subject to the provisions of this bill will be collected by the courts.

2.C – Expenditures

This bill is not expected to have an impact on operational expenditures for DOL. The bill may increase penalties for some persons, but it is not expected to increase the volume of impaired driving arrests that could lead to a department hearing. Call center impact is expected to be minimal and could be managed within existing resources.

Implementation will, however, require modifications to DOL's DRIVES system. The agency will use appropriated funds to hire contract programmers to accomplish this work or to support current staff implementing this legislation within the required timeline. Appropriated funds may also be used to hire agency temporary staff to support permanent staff assigned to this legislative effort.

Any change requires a process to ensure changes are correctly applied to the system. This involves Project Managers that manage the team that completes the update, business analyst that documents and reviews the system changes, architect services that analyzes how the update could have an effect on other systems or DOL processes, developers who create the change, and testers and quality assurance teams that ensure the update is working correctly.

Cost Category	Description	Rate	2022	2023	2024	2025	2026	2027	Total Cost
TESTER	Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.	\$ 22,620	-	54,300	-	-	-	-	54,300
BUSINESS ANALYST	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	\$ 16,530	-	11,600	-	-	-	-	11,600
PROJECT MANAGER	Manage schedule and contracts	\$ 28,710	-	14,400	-	-	-	-	14,400
SECURITY AND ARCHITECT SERVICES	Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design.	\$ 16,530	-	6,600	-	-	-	-	6,600
CONTRACTED FAST DEVELOPER / TESTER	Updates to the DRIVES system will require additional vendor hours outside of the contracted maintenance to make system updates to implement this bill.	\$ 34,800	-	90,500	-	-	-	-	90,500
Trainer	Trains business partners and employees in new system processes and capabilities.	\$ 22,620	-	15,800	-	-	-	-	15,800
Project Contingency	Office of the Chief Information Officer designated rate of 10%	\$ 25,230	-	19,300	-	-	-	-	19,300
Totals			-	212,500	-	-	-	-	212,500

What DOL will implement:

1. System modifications, including law table updates, to account for the changes in statute related to impaired driving allowing DRIVES to the review driver records for 15 years for any qualifying prior offenses. The appropriate RCW sub-section changes will get coded into the system for impaired driving and felony DUI. Changes to the prior offenses and sanction streams systems logic will get made based on the RCWs, allowing DRIVES to determine if there are other violations on record which will count against the driver, and apply the appropriate actions or penalties.
2. Changes and updates to the Driver Information and Adjudication System (DIAS) for felony DUIs. DIAS is a DRIVES system that allow the courts to send new sanctions (RCW sub-sections) to DRIVES electronically and have DRIVES process these violations correctly through the prior offense and sanction streams.

Support Services:

Agency Administrative Overhead is included at a rate of 26.0 percent of the direct program costs. This funding received covers agency-wide functions such as vendor payments, contract administration, financial management, mail processing, equipment management, help desk support, and technical assistance to DOL employees.

Standard FTE goods and services (object E) costs are included on Table 3.B.1. Standard FTE costs do not include objects EM (AG services), ER (contractual services), and EZ (Other goods & Svcs).

Part 3 – Expenditure Detail

3.A – Operating Budget Expenditures

Fund Name	Fund	FY 22	FY 23	21-23 Total	23-25 Total	25-27 Total
Highway Safety	106	-	268,000	268,000	-	-
Account Totals		-	268,000	268,000	-	-

3.B – Expenditures by Object or Purpose

Object Name		FY 22	FY 23	21-23 Total	23-25 Total	25-27 Total
Goods and Services		-	268,000	268,000	-	-
Total By Object Type		-	268,000	268,000	-	-

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

None.

Individual State Agency Fiscal Note

Bill Number: 5054 E SB	Title: Impaired driving	Agency: 307-Department of Children, Youth, and Families
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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: Sarian Scott	Phone: 360-786-7729	Date: 02/11/2022
Agency Preparation: Jay Treat	Phone: 360-556-6313	Date: 02/15/2022
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 02/15/2022
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/16/2022

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 .

ESB 5054 creates a new drug offender sentencing alternative for individuals convicted of felony impaired driving offenses.

The Engrossed Substitute Bill changes the period for reviewing prior convictions of impaired driving from a 10 year period to a 15 year period for the purpose of determining whether the current offense of impaired driving is a felony.

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.

No fiscal impact to the Department of Children, Youth and Families (DCYF).

New Section 1 creates a new drug offender sentencing alternative (DOSA) for individuals convicted of felony impaired driving offenses. DOSA is an adult sentencing alternative through the Department of Corrections.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

None

Part V: New Rule Making Required