

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5495 2S SB	<b>Title:</b> Catalytic converters
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## Estimated Cash Receipts

Agency Name	2021-23			2023-25			2025-27		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Washington State Patrol	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	0	0	0	0	0	0	0	0	0

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	Non-zero but indeterminate cost and/or savings. Please see discussion.					
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	6,784	6,784	6,784	.0	0	0	0	.0	0	0	0
Administrative Office of the Courts	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	1.8	494,250	494,250	2,542,750	3.5	182,000	182,000	1,380,000	3.5	182,000	182,000	1,380,000
Washington State Patrol	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Criminal Justice Training Commission	.0	0	0	0	.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											
<b>Total \$</b>	1.8	501,034	501,034	2,549,534	3.5	182,000	182,000	1,380,000	3.5	182,000	182,000	1,380,000

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
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	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
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.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								
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Cynthia Hollimon, OFM	<b>Phone:</b> (360) 810-1979	<b>Date Published:</b> Preliminary 2/24/2022
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 5495 2S SB	<b>Title:</b> Catalytic converters	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

STATE	FY 2022	FY 2023	2021-23	2023-25	2025-27
State FTE Staff Years					
<b>Account</b>					
General Fund-State 001-1		6,784	6,784		
State Subtotal \$		6,784	6,784		
COUNTY	FY 2022	FY 2023	2021-23	2023-25	2025-27
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2022	FY 2023	2021-23	2023-25	2025-27
City FTE Staff Years					
<b>Account</b>					
Local - Cities					
Cities Subtotal \$					

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### 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: Trevor Press	Phone: 360-786-7446	Date: 02/08/2022
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 02/11/2022
Agency Approval: Stanley Chris	Phone: 360-704-4020	Date: 02/11/2022
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/11/2022

175,088.00

Request # 5495 2SSB-1

Form FN (Rev 1/00)

1

Bill # 5495 2S SB

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)

State	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years					
Salaries and Wages		4,682	4,682		
Employee Benefits		1,485	1,485		
Professional Service Contracts					
Goods and Other Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements		617	617		
Total \$		6,784	6,784		

In addition to the estimates above, there are additional indeterminate costs and/or savings . Please see discussion.

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

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

175,088.00

Form FN (Rev 1/00)

**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 describe potential financing methods*

NONE

## Part II: Narrative Explanation

This bill would create the crime of unlawful possession of a catalytic converter that has been removed from a vehicle. The bill would create the crime of attempting unlawful sale or purchase of a catalytic converter that has been removed from a vehicle. The bill would establish fines for these new crimes.

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

Section 2 – Would establish a fine of \$1,000 for each offense (fine per catalytic converter), and establish distributions for the revenue collected.

Section 3 – Would provide that a person is guilty of unlawful possession of a catalytic converter if the person is unable to produce proof of ownership of the catalytic converter. Would provide that unlawful possession of a catalytic converter is a gross misdemeanor.

Section 3(3) – Would provide for an additional criminal penalty of \$2,000 per each catalytic converter, and establish distributions for the revenue collected.

Section 4 – Would provide that a person is guilty of attempting the unlawful sale or purchase of a catalytic converter if the person is unable to produce documentation of proof of ownership of the catalytic converter for which the person is trying to sell, purchase, or advertise the sale or purchase.

Section 4(2) – Would provide that attempted sale or purchase of metal property is a class C felony.

Section 4(3) – Would provide for an additional criminal penalty of \$5,000 per catalytic converter, and establish distributions for the revenue collected.

### II.B - Cash Receipt Impact

None.

### II.C – Expenditures

Court impacts are indeterminate, but not expected to be significant. There is no data available to estimate the number of new crimes that would result from this bill.

This bill would require new revenue coding and processes in various judicial information systems. This would require 80 hours of business analysis, development, testing and implementation.

Judicial education would be required. This would be managed within existing resources.

## Part III: Expenditure Detail

### III.A – Expenditures by Object or Purpose

Object	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE – Staff Years		0.1	0.1		
A – Salaries & Wages		4,682	4,682		
B – Employee Benefits		1,485	1,485		

C – Prof. Service Contracts					
E – Goods and Services					
G – Travel					
J – Capital Outlays					
T – Intra-Agency Costs		617	617		
<b>Total:</b>		<b>6,784</b>	<b>6,784</b>		

### III.B – Detail:

<b>Job Classification</b>	<b>Salary</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>2021-23</b>	<b>2023-25</b>	<b>2025-27</b>
Senior Integrator			0.1	0.1		
<b>Total FTE's</b>						

### Part IV: Capital Budget Impact

None.

### Part V: New Rule Making Required

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5495 2S SB	<b>Title:</b> Catalytic converters	<b>Agency:</b> 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.

<b>Legislative Contact:</b> Trevor Press	<b>Phone:</b> 360-786-7446	<b>Date:</b> 02/08/2022
<b>Agency Preparation:</b> Clela Steelhammer	<b>Phone:</b> 360-664-9381	<b>Date:</b> 02/11/2022
<b>Agency Approval:</b> Clela Steelhammer	<b>Phone:</b> 360-664-9381	<b>Date:</b> 02/11/2022
<b>OFM Review:</b> Cynthia Hollimon	<b>Phone:</b> (360) 810-1979	<b>Date:</b> 02/14/2022



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**

# **2SSB 5495**

## **CONCERNING CATALYTIC CONVERTERS**

**101 – Caseload Forecast Council**  
**February 11, 2022**

### **SUMMARY**

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

- Section 2 Amends RCW 19.290.070, an existing gross misdemeanor, by adding \$1,000 fine per catalytic converter.
- Section 3 Adds a new section to chapter 9.56 RCW, establishing a new gross misdemeanor offense of Unlawful Possession of a Catalytic Converter that has been Removed from a Vehicle.
- Section 4 Adds a new section to chapter 9.56 RCW, by describing what constitutes Attempted Unlawful Sale of a Catalytic Converter that has been Removed from a Vehicle and Attempted Unlawful Purchase of a Catalytic Converter that has been Removed from a Vehicle.
- Section 4 Additionally establishes the felony Class C offense of Attempted Unlawful Sale or Purchase of Metal Property.
- Section 4 Additionally establishes that if the attempted purchase or sale is for more than five catalytic converters, the offense of Attempted Unlawful Sale or Purchase of Metal Property becomes a Class B felony.

### **EXPENDITURES**

#### **Assumptions.**

None.

#### **Impact on the Caseload Forecast Council.**

None.

#### **Impact Summary:**

This bill:

- Establishes a Class C and Class B unranked felony offense and a gross misdemeanor offense.

#### **Impacts on Prison and Jail beds.**

The Caseload Forecast Council has no information concerning how many incidents of the newly established gross misdemeanor and unranked felony offenses may occur. As such, the Caseload Forecast Council cannot reliably predict bed impacts resulting from the bill. However:

The newly established gross misdemeanor offense would be punishable by a term of confinement of 0 to 364 days in jail. Therefore, any impact would be on jail beds only.

It is assumed that the new Class C felony offense of Attempted Unlawful Sale or Purchase of Metal Property established in Section 4(3) is not limited to catalytic converts and would apply to all metals under the definition of Private Metal Property and Commercial Metal Property in RCW 19.290.010.

The newly established unranked Class C and Class B felony offenses would be punishable by a standard range term of confinement of 0-12 months in jail. Therefore, any impact would be on jail beds only, except in the case of an aggravated exceptional sentence.

**Impact on Juvenile Rehabilitation and local beds.**

The establishment of the new gross misdemeanor offense in Section 3 would be ranked as Category D on the juvenile grid and would be punishable by Local Sanctions (0-30 days in local juvenile detention). Therefore, incidences of this offense would likely only impact local juvenile detention beds.

The newly established Class C felony offense of Attempted Unlawful Sale or Purchase of Metal Property (Section 4(3)) would be ranked at Category C on the Juvenile Sentencing Grid. The offense would be punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications) for juveniles adjudicated for the offense. Therefore, incidences of this offense would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

The newly established Class B felony offense of Attempted Unlawful Sale or Purchase of Metal Property – more than Five Catalytic Converters (Section 4(4)) would be ranked at Category B on the Juvenile Sentencing Grid. The offense would be punishable by between a standard range term of Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks to 52-65 in Juvenile Rehabilitation (depending on the number of prior adjudications) for juveniles adjudicated for the offense. Therefore, incidences of this offense would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5495 2S SB	<b>Title:</b> Catalytic converters	<b>Agency:</b> 225-Washington State Patrol
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.
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### Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.0	3.5	1.8	3.5	3.5
<b>Account</b>					
General Fund-State 001-1	0	494,250	494,250	182,000	182,000
State Patrol Highway Account-State 081-1	0	2,048,500	2,048,500	1,198,000	1,198,000
<b>Total \$</b>	0	2,542,750	2,542,750	1,380,000	1,380,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.
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### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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- ☐ 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: Trevor Press	Phone: 360-786-7446	Date: 02/08/2022
Agency Preparation: Kendra Sanford	Phone: 360-596-4080	Date: 02/11/2022
Agency Approval: Walter Hamilton	Phone: 360-596-4046	Date: 02/11/2022
OFM Review: Ruth Roberson	Phone: (360) 995-3826	Date: 02/14/2022

## 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.*

There will be a fiscal impact to the Washington State Patrol (WSP) due to increase in workload. There is an indeterminate fiscal impact due to unknown grant funding availability.

Section 1 amends regulations for scrap metal businesses payment of cash and record keeping of catalytic converters.

Section 2 amends RCW 19.290.070 to impose a fine per catalytic converter, and identifies specific allocation of the fine.

Section 3 adds to RCW 9A.56 to create a crime of unlawful possession of a catalytic converter, and identifies penalty amount and specific allocation of the penalty.

Section 4 adds to RCW 9A.56 to create a crime of unlawful sale or purchase of a catalytic converter, and identifies penalty amount and specific allocation of the penalty.

Section 5 amends RCW 36.28A.240 to require the WSP to develop a comprehensive state law enforcement strategy targeting metal theft, with specific focus on catalytic converter theft. The WSP is to establish a grant and training program to assist local law enforcement agencies in the support of special enforcement targeting metal theft.

Section 6 amends RCW 43.43.885 to require the WSP to implement and operate an ongoing electronic statewide no-buy list database program. The database must be made available on a secured network or website. The database is required to be updated to include individuals who have attempted to purchase or sell unlawfully obtained metals at licensed scrap metal recyclers, and local jurisdiction grant receivers must provide annual updates.

### 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.*

Revenue is indeterminate as we cannot forecast the number of fines issued and collected. A portion of any revenue recovered would be included in the grant program established by the amendment of RCW 36.28A.240 in this legislation.

### 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.*

Section 5 requires the creation and implementation of the strategy plan, training, community outreach, as well as grant oversight, monitoring, documentation of funds, and reporting requirements. These duties will be done by a Grant Manager and an Administrative Assistant 3. A part-time Contracts Specialist 3 will be needed to develop, process, and manage the complex grant application process.

Section 6 will require development, operation, maintenance, and monitoring of the database, as well as its availability on a secured network or website. As this will be new technology to the WSP, we assume this will require Office of the Chief Information Officer (OCIO) agency oversight. The development of this technology will require multiple external contractors to include, but not limited to, Application Developer, Project Manager, Quality Assurance, Organizational Change Team, and a Business Analyst. We estimate these costs at an estimated \$1,680,400. We estimate software costs at \$73,200 while developing this database. We assume this project will start July 1, 2022 and end June 30, 2023.

Ongoing operation and maintenance within the WSP will be done by an IT System Administration - Journey Level. Ongoing software licenses and subscriptions are an estimated \$112,400 per fiscal year.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We compute estimated support expenditures such as supplies & materials, communications, computer costs (hardware and software), vehicle and vehicle operating costs, among others, using average costs to support agency FTEs. We adjust the estimated support costs to reflect the needs of individual divisions or positions within the agency.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 30.84 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

The funding allocation for this estimate is based on the results of the Joint Legislative Audit and Review Committee cost allocation model approved by both the Transportation and the Omnibus Budget Committees in the 2020 Supplemental Budget. The model analyzes costs and relevant activities (hours, transactions, type of enforcement, etc.) of Washington State Patrol (WSP) organizations funded by two or more sources to ensure a consistent and fair use of state resources.

The estimates provided are known set-up and support costs for managing the proposed grant and training program, as well as the database and interactive network/website. We are unable to determine how much funding will be received for grant distribution.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	0	494,250	494,250	182,000	182,000
081-1	State Patrol Highway Account	State	0	2,048,500	2,048,500	1,198,000	1,198,000
<b>Total \$</b>			0	2,542,750	2,542,750	1,380,000	1,380,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years		3.5	1.8	3.5	3.5
A-Salaries and Wages		287,000	287,000	574,000	574,000
B-Employee Benefits		99,000	99,000	198,000	198,000
C-Professional Service Contracts		1,680,400	1,680,400		
E-Goods and Other Services		209,200	209,200	264,000	264,000
G-Travel		4,000	4,000	8,000	8,000
J-Capital Outlays		39,000	39,000	12,000	12,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs		224,150	224,150	324,000	324,000
<b>Total \$</b>	0	2,542,750	2,542,750	1,380,000	1,380,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**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

Job Classification	Salary	FY 2022	FY 2023	2021-23	2023-25	2025-27
ADMINISTRATIVE ASSISTANT 3	50,588		1.0	0.5	1.0	1.0
CONTRACTS SPECIALIST 3	80,956		0.5	0.3	0.5	0.5
GRANT MANAGER	90,447		1.0	0.5	1.0	1.0
IT SYSTEM ADMINISTRATION - JOURNEY	105,055		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			3.5	1.8	3.5	3.5

**III. D - Expenditures By Program (optional)**

Program	FY 2022	FY 2023	2021-23	2023-25	2025-27
COMMERCIAL VEHICLE DIVISION (150)		298,000	298,000	554,000	554,000
INFORMATION TECHNOLOGY DIVISION (315)		348,000	348,000	674,000	674,000
BUDGET & FISCAL SERVICES (365)		82,000	82,000	152,000	152,000
IT TECH PROJECT (TBD)		1,814,750	1,814,750		
<b>Total \$</b>		2,542,750	2,542,750	1,380,000	1,380,000

## 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

<b>Bill Number:</b> 5495 2S SB	<b>Title:</b> Catalytic converters	<b>Agency:</b> 227-Criminal Justice Training Commission
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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.

<b>Legislative Contact:</b> Trevor Press	<b>Phone:</b> 360-786-7446	<b>Date:</b> 02/08/2022
<b>Agency Preparation:</b> Brian Elliott	<b>Phone:</b> 206-835-7337	<b>Date:</b> 02/10/2022
<b>Agency Approval:</b> Brian Elliott	<b>Phone:</b> 206-835-7337	<b>Date:</b> 02/10/2022
<b>OFM Review:</b> Cynthia Hollimon	<b>Phone:</b> (360) 810-1979	<b>Date:</b> 02/11/2022

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 .

This bill has no fiscal impact on the Criminal Justice Training Commission or the Washington Association of Sheriffs and Police Chiefs.

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 .

This bill has no cash receipt impact.

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.

This bill has no expenditure impact.

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**

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5495 2S SB	<b>Title:</b> Catalytic converters	<b>Agency:</b> 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.

<b>Legislative Contact:</b> Trevor Press	<b>Phone:</b> 360-786-7446	<b>Date:</b> 02/08/2022
<b>Agency Preparation:</b> Jay Treat	<b>Phone:</b> 360-556-6313	<b>Date:</b> 02/11/2022
<b>Agency Approval:</b> Crystal Lester	<b>Phone:</b> 360-628-3960	<b>Date:</b> 02/11/2022
<b>OFM Review:</b> Cynthia Hollimon	<b>Phone:</b> (360) 810-1979	<b>Date:</b> 02/11/2022

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 .*

An act relating to catalytic converters.

Comparison of 5495 SSB to 5495 2SSB.

The changes in the substitute bill:

Removes prohibitions against scrap metal businesses entering into a transaction with any person who is not a commercial enterprise or owner of the vehicle from which the catalytic converter was taken.

Moves removing identifying marks from private metal property to a new chapter.

Creates the crime of unlawful possession of a catalytic converter, a gross misdemeanor.

Creates the crime of attempting the unlawful sale or purchase of a catalytic converter, a Class C Felony.

Requires fines collected pursuant to this bill to be specifically allocated.

Requires the Washington State Patrol to develop a comprehensive state law enforcement strategy targeting metal theft, including the establishment of a grant and training program to assist local law enforcement agencies in the support of special enforcement targeting metal theft.

Requires the Washington State Patrol to implement and operate a statewide no-buy list database program.

Requires the database to include individuals who have attempted to purchase or sell unlawfully obtained metals and individuals who attempt to conduct transactions while under the influence of controlled substances.

Removes the appropriations from the bill.

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Description of 5495 2SSB:

SSB 5495 addresses catalytic converter theft by amending the regulations for scrap metal businesses cash payments, record keeping related to catalytic converters, creating crimes of unlawful possession of a catalytic converter and attempting the unlawful sale or purchase of a catalytic converter, and requiring Washington State Patrol to implement and operate a statewide no-buy list database program.

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 Sections 3 and 4. The newly established gross misdemeanor offenses of Unlawful Possession of a Catalytic Converter and Attempted Unlawful Sale or Purchase of a Catalytic Converter would be punishable by a term of confinement of 0 to 264 days in jail. Any impact would be on jail beds only.

Section 6. Individuals who have been in DCYF may be affected by the no-buy list database which includes a list of persons convicted of any crime involving burglary, robbery, theft, or possession of or receiving stolen property within the past four years. This would be an affect on them once in the community and not a direct impact to DCYF.

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

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 5495 2S SB

**Title:** Catalytic converters

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

☒ Cities: Could incur costs for law enforcement related to new misdemeanor and new felonies

☒ Counties: Same as above, plus impacts for prosecution, defense, and 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: Local jurisdictions may apply for grants and training support for metal theft prevention

☒ Key variables cannot be estimated with certainty at this time: Number of crimes that will be committed; length of prison sentences for people found guilty

### Estimated revenue impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

### Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

## Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 02/14/2022
Leg. Committee Contact: Trevor Press	Phone: 360-786-7446	Date: 02/08/2022
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/14/2022
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/15/2022

## **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 BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The second substitute bill removes the \$3,000,000 general fund appropriation that the previous bill provided for local jurisdictions' grants and training opportunities.

Additionally, the second substitute clarifies that for catalytic converter crimes, proof of catalytic converter ownership shall be required for catalytic converters that were "removed from a vehicle." Previously, a person could be found guilty of unlawful possession, attempted sale, or attempted purchase of a catalytic converter if the person could not produce proof of ownership of the catalytic converter.

#### **SUMMARY OF CURRENT BILL:**

Sec. 2 amends RCW 19.290.070 and 2013 c 322 s 10. In addition to any fine imposed as part of the sentence under this section, an additional \$1,000 fine may be imposed per catalytic converter.

Sec. 3 adds a new section to chapter 9A.56 RCW. If a person is found guilty of unlawful possession of a catalytic converter that has been removed from a vehicle, they will be charged with a gross misdemeanor and subject to an additional criminal penalty of \$2,000 per catalytic converter. \$1,000 of that penalty shall be retained by the local jurisdiction.

Sec. 4 adds a new section. A new crime is established for attempting the unlawful sale or purchase of a catalytic converter that has been removed from a vehicle, which would be a Class C felony offense. Another new crime is established for attempting the unlawful sale or purchase of more than five catalytic converters, which would be a Class B felony offense. Additionally, each catalytic converter is subject to a \$5,000 penalty per catalytic converter for attempting the unlawful sale or purchase of more than five catalytic converters. Half of the penalty shall be retained by local jurisdictions.

Sec. 5 amends RCW 36.28A.240 and 2013 c 322 s 24. The Washington state patrol shall establish a grant and training program to support local jurisdictions in special enforcement targeting metal theft. Participating in the special enforcement would be a local option. Grant awards may not be used to supplant preexisting funding sources for special enforcement targeting metal theft. Each grant applicant shall :

- a. Show a significant metal theft problem in the applicant's jurisdiction;
- b. propose an enforcement program that includes the number of enforcement stings to be conducted under the program;
- c. demonstrate community coordination focusing on prevention, intervention and suppression; and
- d. collect data on performance including the number of enforcement stings to be conducted.

Sec. 6 amends RCW 43.43.885 and 2013 c 322 s 31. Local jurisdictions applying for the grant under RCW 36.28A.240 must provide updates to the no-buy list database annually and 120 days after a grant is distributed.

### **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.*

#### **CHANGES IN EXPENDITURE IMPACTS FROM PRIOR BILL VERSION:**

Implementation of these provisions would result in indeterminate expenditures for local governments. According to section 5 of the second substitute bill, local law enforcement agencies would be eligible to apply for a grant of an unspecified amount from the Washington State Patrol. However, since applying for such a grant is up to the discretion of each municipality, and is therefore a local option, the LGFN program assumes no impact to expenditures due to the application process.



#### SUMMARY OF EXPENDITURE IMPACTS OF CURRENT BILL VERSION:

This bill would have an indeterminate impact on local government expenditures.

The Taskforce will not impact local government expenditures as no local government participation is required. Any involvement is by representation through local government associations and would not have a fiscal impact.

To assist local law enforcement agencies in special enforcement targeting metal theft, local law enforcement agencies would have the option to apply to the Washington State Patrol for a grant and training program. If a law enforcement agency were selected as a grant recipient, it would commit to the following programs and activities:

- (a) show a significant metal theft problem in the jurisdiction receiving the grant ;
- (b) propose an enforcement program that best suits the specific metal theft problem in the jurisdiction (including the number of enforcement stings to be conducted under the program );
- (c) demonstrate community coordination focusing on prevention, intervention and suppression ;
- (d) collect data on performance, including the number of enforcement stings to be conducted ;
- (e) provide updates to the no-buy list database annually and 120 days after a grant is distributed.

However, since applying for such a grant is up to the discretion of each municipality, and is therefore a local option, the LGFN program assumes no impact to expenditures due to the application process.

Local jails, law enforcement, prosecutors, and public defenders would experience increased costs due to increased incidents around unlawful possession of catalytic converters that have been removed from cars, or attempted sale or purchase of catalytic converters that have been removed from cars. However, according to the Caseload Forecast Council, the number of such incidents that may occur cannot be predicted. Therefore cost estimates cannot be determined at this time. Costs that can be estimated are described below.

#### MISDEMEANOR and FELONY OFFENSES:

The legislation establishes a Class C felony for attempted unlawful sale or purchase of a catalytic converter that has been removed from a car; a Class B unranked felony offense for attempted unlawful sale or purchase of more than 5 catalytic converters; and a gross misdemeanor offense for unlawful possession of a catalytic converter that has been removed from a car. The Caseload Forecast Council has no information concerning how many incidents of the newly established gross misdemeanor and unranked felony offenses may occur. Therefore the new crime expenditure impacts to local jurisdictions is indeterminate. However, the Local Government Fiscal Note Program's 2020 Criminal Justice Cost Model (CJCM) provides crime violation cost estimates for law enforcement, prosecution, and defense. Costs per crime are broken down below.

#### GROSS MISDEMEANOR:

If a person is found guilty of unlawful possession of a catalytic converter that has been removed from a vehicle, they will be charged with a gross misdemeanor. The Local Government Fiscal Note Program's 2020 Criminal Justice Cost Model (CJCM) estimates the total misdemeanor costs to law enforcement (\$599), prosecution (\$2,500), and defense (\$2,500) are \$5,599 (not including daily jail cost) per incident. The gross misdemeanor offense would be punishable by a term of confinement of 0 to 364 days in jail, and the CJCM estimates that the average daily jail bed cost is \$114 per day.

#### UNRANKED CLASS C FELONY:

If a person is found guilty of unlawful sale or purchase of a catalytic converter that has been removed from a vehicle, they will be charged with an unranked Class C felony. The CJCM estimates the total Class C felony costs to law enforcement (\$1,301), prosecution (\$1,000), and defense (\$1,000) are \$3,301 (not including daily jail cost) per incident. The newly established Class C felony would be punishable by a term of confinement of zero to 12 months in jail, and the CJCM estimates that the average daily jail bed cost is \$114 per day.

#### UNRANKED CLASS B FELONY:

If a person is found guilty of attempted unlawful sale or purchase of more than five catalytic converters, they will be charged with an unranked Class B felony. The CJCM estimates the total Class B felony costs to law enforcement (\$1,568), prosecution (\$2,500), and defense (\$2,500) are \$6,568 (not including daily jail cost) per incident. The newly established Class B felony would be punishable by a term of confinement of zero to 12 months in jail, and the CJCM estimates that the average daily jail bed cost is \$114 per day.

### 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.*

#### CHANGES IN REVENUE IMPACTS FROM PRIOR BILL VERSION:

Implementation of these provisions would result in a local option for law enforcement agencies to apply to the Washington State Patrol for grant and training opportunities to reduce metal theft. However, the \$3,000,000 appropriated for such grants and training in the substitute bill is removed in this second substitute version of the bill.

#### SUMMARY OF REVENUE IMPACTS OF CURRENT BILL VERSION:

The provisions of this second substitute bill would result in indeterminate revenue for local law enforcement agencies. They may receive indeterminate funds from unlawful catalytic converter fees and penalties, and they may receive funds as grants from the Washington State Patrol under this legislation.

Local law enforcement agencies would be eligible to apply for grants to fund training and special enforcement program development that targets metal theft. The grant would be open to all local law enforcement agencies. There is no information available to predict which local governments would receive the grant. If the grant award went to local jurisdictions, local jurisdictions would see an indeterminate increase in revenue equal to what Washington State Patrol awarded the jurisdiction in the grant.

Additionally, the bill dictates that if a person is found guilty of unlawful possession of a catalytic converter that has been removed from a car, they will be charged with a gross misdemeanor and subject to an additional criminal penalty of \$2,000 per catalytic converter. Likewise, if a person is found guilty of attempting the unlawful sale or purchase of more than five catalytic converters, then each catalytic converter is subject to a \$5,000 penalty per catalytic converter. Half of these fees and penalties shall be retained by local jurisdictions. However, the Caseload Forecast Council has no information concerning how many incidents of unlawful possession, sale or purchase of a catalytic converter may occur. Consequently, the Caseload Forecast Council cannot reliably predict the total revenue local jurisdictions would receive from unlawful catalytic converters fees and penalties. Therefore, the revenue for unlawful catalytic converter fees and penalties is indeterminate.

#### SOURCES:

Caseload Forecast Council  
Local Government Fiscal Note Program's Criminal Justice Cost Model  
Local Government Fiscal Note Program Fiscal Note SHB 1815 (2022)  
Senate Ways & Means Committee  
Washington Association of Sheriffs and Police Chiefs