

Multiple Agency Fiscal Note Summary

Bill Number: 1059 HB	Title: Sexual exploitation/minors
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	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 Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other			288,630						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			288,630						

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	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 Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Cynthia Hollimon, OFM	Phone: (360) 810-1979	Date Published: Final
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Judicial Impact Fiscal Note

Bill Number: 1059 HB	Title: Sexual exploitation/minors	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: Martha Wehling	Phone: 360-786-7067	Date: 01/06/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/18/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/18/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/24/2023

177,544.00

Request # 008-1

Form FN (Rev 1/00)

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Bill # 1059 HB

Part II: Narrative Explanation

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

The bill amends RCWs 9.68A.040 and 9.68A.053 relating to protecting minors from sexual exploitation. No fiscal impact on the courts or the Administrative Office of the Courts.

II. B - Cash Receipts Impact

II. C - Expenditures

No fiscal impact is expected to the Administrative Office of the Courts or the courts. The amendments add to the definitions and clarifying language of existing crimes.

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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

177,544.00

Form FN (Rev 1/00)

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Request # 008-1

Bill # 1059 HB

Individual State Agency Fiscal Note

Bill Number: 1059 HB	Title: Sexual exploitation/minors	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: Martha Wehling	Phone: 360-786-7067	Date: 01/06/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/06/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/06/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/11/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished 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: *FTEs listed by classification and corresponding annual compensation. Totals 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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

HB 1059

PROTECTING MINORS FROM SEXUAL EXPLOITATION

**101 – Caseload Forecast Council
January 6, 2023**

SUMMARY

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

Section 1 Amends RCW 9.68A.040 by expanding the definition of the existing ranked Class B felony offense of Sexual Exploitation of a Minor (Seriousness Level 9 on the Adult Felony Sentencing Grid) by expanding to include knowingly causing a minor to be photographed or part of a live performance which depicts the minor engaged in sexually explicit conduct where the minor is unconscious or unaware of the photograph or recording.

Section 2 Amends the definition of an existing misdemeanor, Minor Selling Depictions of Himself or Herself Engaged in Sexually Explicit Conduct (RCW 9.68A.053) by adding that the visual or printed matter does not include any depiction of another minor.

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 1.0 hours at a rate of \$100 per hour for a total cost to the Caseload Forecast Council of \$100.

Impact Summary

- Expands the definition of an existing Class B felony sex offense.

Impacts on Prison, Jail, local detention and Juvenile Rehabilitation (JR) beds

The Caseload Forecast Council (CFC) has no information about how many more incidents of the expanded felony offense may occur or the sentences that might actually be imposed. Therefore, the CFC cannot reliably predict bed impacts resulting from the bill. However, as a Class B felony offense ranked at SL 9 on the adult felony sentencing grid, Sexual Exploitation of a Minor is punishable by a standard range term of confinement between 31-41 months and 120 months (statutory maximum for a Class B offense) in prison, depending on the individual's prior history. Therefore, increased incidence of this offense would likely only impact prison beds.

Impact on local detention and Juvenile Rehabilitation beds.

In addition, there may also be an increased need for Juvenile Rehabilitation (JR) beds. Current statutes require individuals sentenced in adult court for an offense committed before the age of 18 to serve to their confinement at a JR facility until age 25, or until release if occurring prior to age 25. As less than 1% of all sentences in the adult system are committed by those less than age 18, it assumed any impacts to JR would be minimal.

Impacts on DOC Supervision Population.

The offense of Sexual Exploitation of a Minor is categorized as a sex offense, and as such, requires 36 months of community supervision by the Department of Corrections (DOC) upon release from prison. While CFC has no information about how many more incidents of the expanded felony offense may occur, any additional convictions would result in an increased need for DOC community supervision resources.

Individual State Agency Fiscal Note

Bill Number: 1059 HB	Title: Sexual exploitation/minors	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:

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

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: Martha Wehling	Phone: 360-786-7067	Date: 01/06/2023
Agency Preparation: Samuel Quartey	Phone: 360-628-4334	Date: 01/12/2023
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 01/12/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/12/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1(1)(d) of HB 1059 amends RCW 9.68A.040 by expanding what constitutes sexual exploitation of a minor to include knowingly causing a minor to be photographed or as part of a live performance which depicts the minor engaged in sexually explicit conduct where the minor is unconscious or unaware of the photograph or recording.

Section 2 Amends the definition of an existing misdemeanor, minor selling depictions of himself or herself engaged in sexually explicit conduct (RCW 9.68A.053) by adding that the visual or printed matter does not include any depiction of another minor.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Fiscal impact is indeterminate.

Section 2 amends the definition of an existing misdemeanor, and requires the individual to be under the age of 18 at the time of the offense. The juvenile sentencing grid was not amended so it is assumed there would be no impact to individuals sentenced in a juvenile court. Current statutes require individuals sentenced in adult court for an offense committed under the age of 18 to serve their confinement at a Juvenile Rehabilitation (JR) facility until age 25, or until release if occurring prior to age 25. This change would most likely impact JR beds.

The Department of Children, Youth, and Families (DCYF) assumes the bill may result in an increase in Average Daily Population (ADP) and indeterminate costs to DCYF.

DCYF assumes the impact will result when the ADP caseload changes in the JR residential facilities forecast. The impact would be reflected in the forecasted maintenance level budget step. DCYF will true up our fiscal impact in subsequent budget submittals if the legislation is enacted into law.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals 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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

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

NONE

None.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1059 HB	Title: Sexual exploitation/minors	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

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

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: Martha Wehling	Phone: 360-786-7067	Date: 01/06/2023
Agency Preparation: Veronica Warren	Phone: (360) 725-8428	Date: 01/11/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 01/11/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/12/2023

Part II: Narrative Explanation

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

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 (1)(d) amends RCW 9.68A.040 (sexual exploitation of a minor) by expanding the definition of the existing ranked Class B felony offense of Sexual Exploitation of a Minor (Seriousness Level 9 on the Adult Felony Sentencing Grid) by expanding to include knowingly causing a minor to be photographed or part of a live performance which depicts the minor engaged in sexually explicit conduct where the minor is unconscious or unaware of the photograph or recording.

Section 2 (5)(a) amends the definition of an existing misdemeanor, Minor Selling Depictions of Himself or Herself Engaged in Sexually Explicit Conduct (RCW 9.68A.053) by adding that the visual or printed matter does not include any depiction of another minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(4).

Section 6 amends RCW 9.68A.011 (4) that visual or printed material does not include any depiction of another minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011 (4).

Effective date is assumed 90 days after the adjournment of session in which this bill is passed.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

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

This bill expands the definition of an existing Class B felony sex offense.

The Caseload Forecast Council (CFC) has no information about how many more incidents of the expanded felony offense may occur or the sentences that might actually be imposed. Therefore, the CFC cannot reliably predict bed impacts resulting from the bill. However, as a Class B felony offense ranked at Seriousness Level 9 on the adult felony sentencing grid, Sexual Exploitation of a Minor is punishable by a standard range term of confinement between 31-41 months and 120 months (statutory maximum for a Class B offense) in prison, depending on the individual's prior history. Therefore, increased incidence of this offense would likely only impact prison beds.

The offense of Sexual Exploitation of a Minor is categorized as a sex offense, and as such, requires 36 months of community supervision by the Department of Corrections (DOC) upon release from prison. While CFC has no information about how many more incidents of the expanded felony offense may occur, any additional convictions would result in an increased need for DOC community supervision resources.

The DOC assumes this bill would likely result in an ADP increase, although the impact cannot be reliably estimated. Therefore, the fiscal impact is indeterminate, assumed to be less than \$50,000 per FY.

ASSUMPTIONS

1. The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based

on projections from CFC.

2. We assume Direct Variable Cost (DVC) of \$6,080 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with Office of Financial Management, Senate, and House staff each legislative session.

3. For illustration purposes only, the average annual, Community Supervision caseload model is \$5,318 per ADP (not including startup costs), regardless of supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records and Training that are directly affected by supervision population changes. The estimate will vary based on risk level of the supervised individuals, which requires different staffing levels. The population trend data used is based on the Risk Level Classification tool and provides a risk level of 42.8% high violent; 27.3% high non-violent; 21% moderate; 7.9% low; and 1.0% unclassified. (June – November 2017)

4. The DOC assumes that any increase in community supervision caseload will result in an increased need for violator beds. For illustration, the FY2022 average percentage of supervised individuals that served jail time and were billed by the local jurisdictions for violating their conditions of supervision was a rate of 2.0%. The current average daily cost for jail beds is \$112.07 per day, inclusive of all risk levels and healthcare costs. The rate is an average and actual rates vary by local correctional facilities.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals 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

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.
NONE

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

NONE

None.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1059 HB

Title: Sexual exploitation/minors

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

Legislation Impacts:

Cities: One-time cost of approximately \$221,430 for officer training on modified criminal offenses; Indeterminate increased costs to local law enforcement incurred from participating in processing cases of expanded class B felony sex offense

Counties: One-time cost of approximately \$67,200 for officer training on modified criminal offenses; Indeterminate increased local enforcement, prosecution, and public defense costs incurred from participating in processing cases of expanded class B felony sex offense

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs: Approximately \$288,630 to provide training to local law enforcement officers on modified criminal offenses

Legislation provides local option:

Key variables cannot be estimated with certainty at this time: Number of incidents of expanded class B felony offense of sexual exploitation of a minor

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	221,430		221,430		
County	67,200		67,200		
TOTAL \$	288,630		288,630		
GRAND TOTAL \$					288,630

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

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 01/09/2023
Leg. Committee Contact: Martha Wehling	Phone: 360-786-7067	Date: 01/06/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/09/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/11/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

The proposed legislation would amend several RCW sections related to sex offenses involving minors.

Section 1 would amend RCW 9.68A.040, expanding the definition of the class B felony offense of sexual exploitation of a minor. This section would add the following condition under which a person would be guilty of this offense: knowingly causing “a minor to be photographed or part of a live performance which depicts the minor engaged in sexually explicit conduct where the minor is unconscious or unaware of the photograph or recording.”

Section 2 would amend RCW 9.68A.053, modifying the conditions under which a person is guilty of the misdemeanor offense of minor selling depictions of himself or herself engaged in sexually explicit content. This section would add the condition that visual or printed matter does not include any depiction of another minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011 (4).

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

The proposed legislation could result in both determinate and indeterminate increases in local government expenditures.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the modifications this bill would make to existing criminal offenses. WASPC estimates that approximately 30 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$221,430 for cities and \$67,200 for counties, for a total one-time cost to local governments of \$288,630.

The 2021 Crime in Washington Report conducted by WASPC states that there are 6,710 commissioned officers in police departments and 2,240 commissioned officers in sheriff’s departments, for a total of 8,950 commissioned law enforcement employees that would require training. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$66, and the same figure for an officer employed by a county to be \$60. If every officer in Washington had to complete approximately 30 minutes of training, the cost to local governments would be:

Cities:

6,710 officers X 0.5 hours X \$66 = \$221,430

Counties:

2,240 officers X 0.5 hours X \$60 = \$67,200

Total:

\$221,430 + \$67,200 = \$288,630

Training materials and time required may differ among different departments, however.

Cities and counties may see increased costs as a result of additional labor hours being required of law enforcement, prosecutors and public defenders to process cases of the expanded class B felony offense of sexual exploitation of a minor that would not previously have fallen under the definition of this offense. The Washington State Caseload Forecast Council’s (CFC) fiscal note for this bill states that it is unknown, however, how many incidents of the expanded felony offense may occur, so the increase in local government expenditures as a result of increased felony offenses is indeterminate. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the

combined prosecution and public defense cost of processing an incident of a class B felony is \$2,500.

CFC does not anticipate any sentencing impacts from amending the definition of the existing misdemeanor offense of minor selling depictions of himself or herself engaged in sexually explicit conduct, so this provision of the bill would likely have no fiscal impact on local governments, although additional incidents of this offense could create law enforcement, prosecution and public defense costs for counties. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the combined prosecution and defense cost of processing an incident of a misdemeanor is \$750.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

The proposed legislation would have no impact on local government revenues

SOURCES:

Local government fiscal note for SSB 5572, 2022

Local Government Fiscal Note Program Criminal Justice Cost Model, 2023

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council