## **Multiple Agency Fiscal Note Summary**

Bill Number: 5046 SB

Title: Postconviction counsel

## **Estimated Cash Receipts**

NONE

## **Estimated Operating Expenditures**

Agency Name			2023-25			2	025-27				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	4.5	1,527,9	00 1,527,900	1,527,900	6.0	1,998,800	1,998,800	1,998,800	6.0	1,998,800	1,998,800	1,998,800
Office of Public Defense	3.0	10,270,9	20 10,270,920	10,270,920	3.0	13,487,513	13,487,513	13,487,513	.0	0	0	0
Total \$	7.5	11,798,8	20 11,798,820	11,798,820	9.0	15,486,313	15,486,313	15,486,313	6.0	1,998,800	1,998,800	1,998,800
Agency Name			2023-25				2025-27			2027-:	29	
		FTEs	GF-State	Total	FT	Es GF-	State	Total	FTEs	GF-State	Total	
Local Gov. Cour	ts											
Loc School dist-S	SPI											
Local Gov. Other	r	Non-ze	ro but indeterr	ninate cost	and/or	savings. P	lease see di	scussion.				
Local Gov. Total												

## **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
Office of Public Defense	.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									
Loc School dist-SPI									
Local Gov. Other	Non-z	ero but indeterm	inate cost and	l/or savi	ngs. Please see	discussion.			
Local Gov. Total									

## **Estimated Capital Budget Breakout**

Prepared by: Gaius Horton, OFM	Phone:	Date Published:
	(360) 819-3112	Final

# **Judicial Impact Fiscal Note**

Bill Number: 5046 SB	Title: Postconviction counsel	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:**

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years	3.0	6.0	4.5	6.0	6.0
Account					
General Fund-State 001-1	528,500	999,400	1,527,900	1,998,800	1,998,800
State Subtotal \$	528,500	999,400	1,527,900	1,998,800	1,998,800
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					

#### **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 fo 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	Ryan Giannini	Phone: 3607867285	Date: 01/03/2023
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

178,132.00

Form FN (Rev 1/00)

## **Part II: Narrative Explanation**

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

THIS JUDICIAL IMPACT NOTE IS FOR THE COURT OF APPEALS – AGENCY 048

**OVERVIEW** 

The proposed legislation:

\* Makes changes in the criteria to determine when indigent individuals (adults and juveniles) who are convicted of crimes/offenses are appointed state-funded public defense counsel to file and prosecute one, timely personal restraint petition (PRP).

\* Adds two new provisions for eligibility for petitioning a sentencing court if the legislature creates an opportunity to do so and challenging a conviction or sentence if a final decision of an appellate court creates an opportunity to do so.

#### Sections 2, 3, and 5:

This bill changes the criteria currently used to determine when an indigent adult/juvenile offender convicted of a crime/offense is appointed counsel from the state-funded Office of Public Defense (OPD) to file a motion or petition for collateral attack. Previously, an indigent person under a sentence of death would receive counsel for PRPs. But an indigent person who was not under a sentence of death would need to await a determination by a Chief Judge that the issues brought by the petition were not frivolous in accordance to Rules of Appellate Procedure (RAP 16.11) before being appointed counsel.

The bill amends RCW 10.73.150 (Right to Counsel) to prioritize "first, timely personal restraint petitions" and "secondarily other types of collateral attack not barred." The bill also shifts the appointment of counsel to occur prior to a determination of frivolity for the first, timely PRP. The bill also adds two new circumstances for appointments of counsel to indigent persons:

\* Requests counsel be appointed to petition the sentencing court if the legislature creates an ability to petition the sentencing court, or

\* Requests counsel be appointed to challenge a conviction or sentence if a final decision of an appellate court creates the ability to challenge a conviction or sentence.

#### II. B - Cash Receipts Impact

None

#### II. C - Expenditures

#### COURT OF APPEALS IMPACT

#### IMPACT TO THE NUMBER OF HEARINGS OR TRIALS AND JUDICIAL OFFICER WORKLOAD - INDETERMINATE

The Court of Appeals cannot estimate at this stage the exact number of additional PRPs this will generate, but it is reasonable to predict that there will be a substantial increase in timely, non-frivolous, PRPs.

This bill could result in an increase to a total of 700 timely PRPs per year, in addition to the existing rate of untimely PRPs. About 15 percent of PRPs are currently set for panel consideration. That percentage may go up, but the Court of Appeals is unable to determine how much.

#### REASON FOR THE CHANGE

\* If defense attorneys strategically split arguments between their direct appeal and their one timely PRP, then the Court of Appeals will likely have a very high rate of timely PRPs filed where convictions/sentences have been affirmed. The Court of Appeals estimates this could be as many as 90% of direct appeals where the conviction and sentence were affirmed.

\* The Court of Appeals already receives a comparable number of criminal appeals and PRPs filed statewide in a year (about 1,000 each). But many PRPs are successive and even more are untimely.

\* It would not be unreasonable to predict that the Court of Appeals will likely receive about 300 additional total PRPs filed statewide if 5046 is adopted.

\* The percentage of total PRPs that are timely and nonfrivolous is likely to increase. The total number of timely PRPs could increase to 700 per year.

178,132.00

Form FN (Rev 1/00)

Request # 023-1 Bill # <u>5046 SB</u>

#### FNS061 Judicial Impact Fiscal Note

\* Currently about 15% of the PRP cases end up going to 3-judge panels. That percentage would likely increase.

This bill would increase the workload for judges. However, the Court of Appeals is unable to estimate at this time whether the increase will create backlogs necessitating additional judicial officers.

IMPACT TO COURT OF APPEALS STAFF

This bill would increase the impact to Court of Appeals Staffing as follows.

Beginning January 1, 2024 and ongoing, the Court of Appeals would require salary, benefits, and associated standard costs for:

\* Case Managers. Case Managers handle about 60-75 PRPs each per year. The Court of Appeals need 3.0 FTE additional case managers statewide when there is an expected return to pre-Covid levels of PRP filings, which will likely occur by the January 1, 2024 effective date.

\* Staff Attorneys. Because there may be more timely PRPs, and many more will be non-frivolous, the Court of Appeals anticipates that staff attorneys would need to spend more time per PRP. Conservatively, there is a need to add at least 1.0 Staff Attorney per Court of Appeals division, for a total of 3.0 FTE.

STAFF IMPACTS INCLUDE STANDARD COSTS

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

Goods and Services are the agency average of \$3,800 per direct program FTE.

Travel is the agency average of \$2,500 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE. Ongoing Equipment is the agency average of \$1,600 per direct program FTE.

Agency Indirect is calculated at a rate of 24.73% of direct program salaries and benefits.

## Part III: Expenditure Detail

### **Part III: Expenditure Detail**

III. A - Expenditure By Object or Purpose (State)

<u>State</u>	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.0	6.0	4.5	6.0	6.0
Salaries and Wages	289,300	578,700	868,000	1,157,400	1,157,400
Employee Benefits	92,300	184,500	276,800	369,000	369,000
Professional Service Contracts					
Goods and Other Services	11,400	22,800	34,200	45,600	45,600
Travel	7,600	15,000	22,600	30,000	30,000
Capital Outlays	33,600	9,600	43,200	19,200	19,200
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements	94,300	188,800	283,100	377,600	377,600
Total \$	528,500	999,400	1,527,900	1,998,800	1,998,800

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

NONE

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

NONE

178,132.00

Form FN (Rev 1/00)

III. D - FTE Detail

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Case Manager	69,759	1.5	3.0	2.3	3.0	3.0
Staff Attorney	123,120	1.5	3.0	2.3	3.0	3.0
Total FTEs		3.0	6.0	4.5	6.0	6.0

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

None

# **Individual State Agency Fiscal Note**

Bill Number: 5046 SB Title: Postconviction counsel	Agency: 056-Office of Public Defense
----------------------------------------------------	--------------------------------------

## Part I: Estimates

No Fiscal Impact

#### Estimated Cash Receipts to:

NONE

#### **Estimated Operating Expenditures from:**

		FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		3.0	3.0	3.0	3.0	0.0
Account						
General Fund-State	001-1	3,532,173	6,738,747	10,270,920	13,487,513	0
	Total \$	3,532,173	6,738,747	10,270,920	13,487,513	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:

 $\times$  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:	Ryan Giannini	Phone: 3607867285	Date: 01/03/2023
Agency Preparation:	Gideon Newmark	Phone: 360-586-3164 1	Date: 01/10/2023
Agency Approval:	Sophia Byrd McSherry	Phone: 360-586-3164	Date: 01/10/2023
OFM Review:	Gaius Horton	Phone: (360) 819-3112	Date: 01/16/2023

## 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.

SB 5046 would provide indigent persons with access to counsel at state expense for certain post-conviction legal actions.

Section 2 amends RCW 2.70.020 to require the Washington State Office of Public Defense to administer certain state-funded post-conviction indigent defense as provided in RCW 10.73.150.

Section 3 amends RCW 10.73.150(3) to require the office of public defense to provide counsel for indigent adults and youth convicted of crimes or offenses when they request counsel to file and prosecute a first, timely personal restraint petition as authorized in RCW 10.73.090. Section 2 further amends RCW 10.73.150 to add new subsections (7) and (8) to require the office of public defense to provide counsel for indigent adults and youth convicted of crimes or offenses when they request counsel to petition the sentencing court if the legislature creates an ability to do so, or when they request counsel to challenge a conviction or sentence if a final decision of an appellate court creates the ability to challenge a conviction or sentence.

#### 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.

#### 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.

OPD assumes the following impacts from SB 5046 Section 3(3) (providing counsel for indigent persons to file a first, timely personal restraint petition):

1. In order to be prepared for the January 1, 2024 effective date, OPD would hire three FTE agency staff positions (managing attorney, paralegal, legal assistant) in July 2023 (beginning of FY '24). In addition to staff salaries and benefits, OPD also would have one time start-up costs of \$5,000 for each position to cover office equipment, furnishings, subscriptions, software licensing, etc. OPD staff salaries and benefits are identified at Expenditure Object A (salaries) & B (benefits), and reflect step increases as currently provided in the state salary schedule. One-time new employee start-up costs are included among other costs in Expenditure Object E (goods & services).

2. Because of the January 1, 2024 effective date, OPD assumes only 6 months of client services contracts for Fiscal Year 2024.

3. OPD assumes the maximum number of personal restraint petitions that would be eligible for public defense representation would be roughly equal to the number of indigent criminal appeals for which OPD already provides counsel. Therefore, OPD assumes that client services contracts for personal restraint petitions would cost the agency approximately the same amount it currently spends on client services contracts for indigent criminal appeals. Client services contract costs are identified at Expenditure Object N (grants, benefits, & client services).

4. OPD assumes that providing legal representation for indigent personal restraint petitions would involve litigation costs for expert and investigative services in most cases and interpreter and translation costs in some cases. OPD assumes that trial court transcripts and other files would already have been made part of the appellate record and would not need to be re-created or re-translated. Litigation costs and interpreter/translation costs represent the bulk of costs identified at Expenditure Object E (goods & services).

5. OPD assumes travel expenses associated with indigent personal restraint petitions would be roughly equivalent to travel expenses associated with indigent criminal appeals. OPD pays travel costs for contracted attorneys to visit incarcerated clients and for in-person appearances at distant court locations. Travel costs are identified at Expenditure Object G (travel).

OPD assumes the following impacts from SB 5046 Section 3(7) (providing counsel if the legislature creates an ability to petition the sentencing court):

1. Section 2(7) is prospective and is conditioned upon potential future action of the legislature. Costs associated with such future actions would be dependent on the nature and scope of the potential legislative action. As such, costs associated with this Section 3(7) are indeterminate at this time.

2. OPD assumes that future legislation, as contemplated in Section 2(7), would include a fiscal note request specific to the legislation. OPD assumes it would be able to estimate fiscal impacts specific to the new legislation at that time.

OPD assumes the following impacts from SB 5046 Section 3(8) (providing counsel if a final decision of an appellate court creates an ability to challenge a conviction or sentence):

1. It is not possible to anticipate how many convictions or sentences might be invalidated by final appellate court action in the future, thus costs for Section 3(8) are at least partially indeterminate. OPD assumes that the present moment in time represents a high water mark for void convictions and sentences, with State v. Blake invalidating many thousands of convictions and sentences, and that future void convictions and sentences likely would impact smaller numbers at any one time.

2. Section 3(8) overlaps somewhat with Section 3(3). OPD assumes that many void convictions and sentences for which counsel would be appointed under Section 3(8) would be challenged as personal restraint petitions, and as such are already included in the assumptions and cost estimates above for Section 3(3).

3.OPD assumes that some portion of future void convictions and sentences for which counsel would be appointed under Section 3(8) would not be handled as personal restraint petitions and rather would be handled most efficiently by motion in Superior Court, under Criminal Rule 7.8 (motions for relief from judgment). In these instances, OPD assumes it would contract with counties that have public defender agencies to represent clients whose cases originated in those counties, and that OPD would directly administer client services contracts with nonprofits and individual criminal defense attorneys and firms to represent clients whose cases originated in counties without public defender agencies. This is similar to the approach for which OPD is currently funded to provide counsel in resentencing and vacating cases under State v. Blake.

4. OPD assumes that if future appellate court actions invalidate convictions and sentences in such large numbers that they exceed OPD's ability to absorb the costs, OPD would develop budget decision packages and seek funding specifically to address the number of indigent cases involved.

OPD assumes the following impacts from SB 5046 Section 4 (directing OPD to examine and report on barriers to providing counsel to prosecute a timely collateral attack other than a personal restraint petition):

1. OPD assumes that OPD's existing staff can conduct the required study using publicly available data and cost-effective tools such as online surveys and virtual platforms for stakeholder meetings. OPD therefore assumes it will be able to absorb the costs of Section 4 within existing resources.

## Part III: Expenditure Detail

#### **III. A - Operating Budget Expenditures**

Account	Account Title	Туре	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	3,532,173	6,738,747	10,270,920	13,487,513	0
		Total \$	3,532,173	6,738,747	10,270,920	13,487,513	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.0	3.0	3.0	3.0	
A-Salaries and Wages	239,160	242,112	481,272	493,368	
B-Employee Benefits	59,663	59,936	119,599	120,747	
C-Professional Service Contracts					
E-Goods and Other Services	775,480	1,520,960	2,296,440	3,041,920	
G-Travel	1,960	3,920	5,880	7,840	
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	2,455,910	4,911,819	7,367,729	9,823,638	
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	3,532,173	6,738,747	10,270,920	13,487,513	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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Assistant	49,404	1.0	1.0	1.0	1.0	
Managing Attorney	120,000	1.0	1.0	1.0	1.0	
Paralegal	69,756	1.0	1.0	1.0	1.0	
Total FTEs		3.0	3.0	3.0	3.0	0.0

#### 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.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number:	5046 SB	Title: Postconviction counsel					
Part I: Juri	sdiction-Location	on, type or status of political subdivision defines range of fiscal impacts.					
Legislation I	mpacts:						
	Indeterminate increas restraint petititions	sed expenditures for offices of county prosecuting attorneys to respond to additional personal					
Special Dist	ricts:						
Specific juri	sdictions only:						
Variance occ	curs due to:						
Part II: Es	timates						
No fiscal in	pacts.						
Expenditure	es represent one-time	costs:					
Legislation	provides local option	1:					
X Key variabl	es cannot be estimate	ed with certainty at this time: Amount of prosecuting attorney time required per additional perso restraint petition					
Estimated reve	enue impacts to:						
None							
Estimated expo	enditure impacts to:						
	Non-zero but indeterminate cost and/or savings. Please see discussion.						

## Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date:	01/13/2023
Leg. Committee Contact: Ryan Giannini	Phone: 3607867285	Date:	01/03/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date:	01/13/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date:	01/16/2023

Bill Number: 5046 SB

FNS060 Local Government Fiscal Note

## 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 RCWs related to public defense.

Section 2 would amend RCW 2.70.020, adding "postconviction indigent defense to file and prosecute a first, timely personal restraint petition," as well as other postconviction proceedings, to the areas the director of the Office of Public Defense shall administer.

Section 3 would amend RCW 10.73.150, adding the following to the list of cases in which a defender shall be provided at state expense to an indigent person who has been convicted of a crime:

1. Such person requests counsel be appointed to file and prosecute a first, timely personal restraint petition.

2. Such person requests counsel be appointed to petition the sentencing court if the legislature creates an ability to petition the sentencing court.

3. Such person requests counsel be appointed to challenge a conviction or sentence if a final decision of an appellate court creates the ability to challenge a conviction or sentence.

Section 5 states that the bill would take effect on January 1, 2024.

#### **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 would have an indeterminate impact on local government expenditures.

The increased access to postconviction defense counsel to file and prosecute personal restraint petitions that this bill would provide could increase the number of these petitions that are filed and prosecuted. While the bill specifies that defense counsel in these cases shall be provided at state expense, an increase in the number of personal restraint petitions filed and prosecuted would require additional staff hours from prosecuting attorneys, who also participate in personal restraint proceedings.

The Washington Association of Prosecuting Attorneys (WAPA) indicates that the length of these proceedings can vary from one to two days, to several weeks, depending on the length of case transcripts. According to the 2023 Local Government Fiscal Note Program Unit Cost Model, the average hourly salary plus benefits and overhead for a county prosecuting attorney is \$82.

According to the Administrative Office of the Courts (AOC), the state Court of Appeals currently receives an average of approximately 1,000 criminal appeals and personal relief petitions annually. Per AOC, the Court of Appeals estimates that the increased access to postconviction defense counsel to file and prosecute personal restraint petitions that this bill would provide could lead to an additional 700 such petitions being filed each year.

While, according to WAPA, the amount of attorney time that each of these additional proceedings may require can vary widely, resulting in an indeterminate expenditure impact on the offices of county prosecuting attorneys, the following is an illustrative range of potential cost scenarios based on hypothetical average amounts of prosecutor time required per additional petition.

Average of one day of prosecutor time per additional personal relief petition:

8 hours prosecutor time per petition X \$82 average hourly salary plus benefits and overhead X 700 additional petitions = \$459,200

Half of petitions require an average of one day of prosecutor time, half require an average of two weeks of prosecutor time:

(8 hours prosecutor time per petition X \$82 average hourly salary plus benefits and overhead X 350 additional petitions) + (80 hours prosecutor time per petition X \$82 average hourly salary plus benefits and overhead X 350 additional petitions) = \$229,600 + \$2,296,000 = \$2,525,600

Average of two weeks of prosecutor time per additional petition:

80 hours of prosecutor time per petition X \$2 average hourly salary plus benefits and overhead X 700 additional petitions = \$4,592,000

### 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 Program Unit Cost Model, 2023 Washington Association of Prosecuting Attorneys Washington State Administrative Office of the Courts