

Multiple Agency Fiscal Note Summary

Bill Number: 1169 HB	Title: Legal financial obligations
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of State Treasurer	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Washington State Patrol	0	0	(964,000)	0	0	(964,000)	0	0	(964,000)
Total \$	0	0	(964,000)	0	0	(964,000)	0	0	(964,000)

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
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	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	Fiscal note not available											
Office of State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	1.0	244,000	244,000	244,000	1.0	233,000	233,000	233,000	1.0	233,000	233,000	233,000
Total \$	1.0	244,000	244,000	244,000	1.0	233,000	233,000	233,000	1.0	233,000	233,000	233,000

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
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	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.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	Fiscal note not available								
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

NONE

Prepared by: Gaius Horton, OFM	Phone: (360) 819-3112	Date Published: Preliminary
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Individual State Agency Fiscal Note

Bill Number: 1169 HB	Title: Legal financial obligations	Agency: 090-Office of State Treasurer
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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.

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: Edie Adams	Phone: 360-786-7180	Date: 01/11/2023
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 01/16/2023
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 01/16/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	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.

HB 1169 creates the state crime victim and witness assistance account, coupled with the general fund as the recipient of the earnings from investments under RCW 43.79A.040(4). Pursuant to appropriation, the state treasurer must distribute moneys deposited into this account to the counties.

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.

Projected cash flows are currently unavailable; therefore, estimated earnings from investments are indeterminable.

There may be an impact on the debt service limitation calculation. Any change to the earnings credited to the general fund will change, by an equal amount, general state revenues.

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.

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.

Individual State Agency Fiscal Note

Bill Number: 1169 HB	Title: Legal financial obligations	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
DNA Data Base Account-Non-Appropriated 515-6	(482,000)	(482,000)	(964,000)	(964,000)	(964,000)
Total \$	(482,000)	(482,000)	(964,000)	(964,000)	(964,000)

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
Account					
General Fund-State 001-1	127,500	116,500	244,000	233,000	233,000
Total \$	127,500	116,500	244,000	233,000	233,000

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: Edie Adams	Phone: 360-786-7180	Date: 01/11/2023
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 01/13/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/13/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	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.

There is a fiscal impact to the Washington State Patrol (WSP) from this legislation.

Section 3 states that the state DNA Database Account (Account) will consist of receipts derived from RCW 43.43.7541, and from legislative appropriations. The legislative appropriations are a new source of funding in this bill, added as Section 4 of the bill eliminates the receipts from RCW 43.43.7541 upon the effective date of this bill at the start of FY 2024.

Section 3 states that 80% of funding in the Account be spent for "operation and maintenance of the DNA database", and 20% for "distribution to the agency responsible for the collection of the biological sample from the offender." The Account currently is 100% for operation and maintenance of the DNA database.

Section 4 removes the \$100 fee to go along with a DNA sample submission for offenders found guilty of crimes specified in RCW 43.43.754. That fee is currently received 80% in favor of the Account and 20% in favor of the agency responsible for collection of a biological sample from the offender as required under RCW 43.43.754.

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.

The average annual revenue to the Account from the \$100 fee for submitting DNA samples under RCW 43.43.754 had been about \$482,000. The elimination of that fee, 80% of the receipt of which formed the revenue for the Account, will also eliminate the funding source for the Account.

If the intent is to fully replace the eliminated fee without impacting the funding source for maintaining the DNA database, then there should be a \$603,000 annual appropriation to cover both the foregone past revenue into the Account, as well as the 20% of the fee that had gone directly to the agencies collecting the samples that will now be supported by the Account.

Note that \$482,000 of revenue (and \$121,000 to the collecting agencies) represents the fees for a little more than 6,000 samples. However, we receive between 8,000 and 12,000 samples annually. Not all samples come with collected fees, either because they are waived, or otherwise uncollectible. Receipts to the agencies were all or nothing (\$0 or \$20 per sample). In the future, since samples are no longer associated with a fee, a waived fee, or an uncollected fee, but all are equal with no fee, the per-sample reimbursement could be less than \$20, all else being equal. That said, the methodology for how we might distribute the 20% of funding from the Account is indeterminate at this time.

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.

In order to accomplish the distribution of 20% of DNA Database Account funding to agencies that collect DNA samples, per Section 3 of the legislation, we would need to hire a Fiscal Analyst 2.

The Account is subject to appropriation from the legislature for funding per Section 3, but Section 3 also says that "an appropriation is not required for expenditures." So we assume that as long as the account has a balance maintained by legislative appropriation from another account, we should have the funding to maintain spending about \$482,000 annually to maintain the DNA database, while also distributing about \$121,000 annually to the agencies collecting DNA samples.

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 31.88 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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	127,500	116,500	244,000	233,000	233,000
Total \$			127,500	116,500	244,000	233,000	233,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	55,900	55,900	111,800	111,800	111,800
B-Employee Benefits	24,100	24,100	48,200	48,200	48,200
C-Professional Service Contracts					
E-Goods and Other Services	6,700	5,500	12,200	11,000	11,000
G-Travel	1,200	1,200	2,400	2,400	2,400
J-Capital Outlays	11,200	1,800	13,000	3,600	3,600
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs	28,400	28,000	56,400	56,000	56,000
Total \$	127,500	116,500	244,000	233,000	233,000

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
Fiscal Analyst 2	55,872	1.0	1.0	1.0	1.0	1.0
Total FTEs		1.0	1.0	1.0	1.0	1.0

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: 1169 HB

Title: Legal financial obligations

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

Legislation Impacts:

- Cities: Changes to how DNA collection conducted by law enforcement agencies is funded.
- Counties: Changes to how DNA collection conducted by law enforcement agencies is funded; changes to how crime victim and witness assistance programs are funded.
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Administrative changes that cities and counties will need to make to receive new sources of funding and disperse it to crime victim and witness assistance programs, and for DNA collection activities.

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: Alice Zillah	Phone: 360-725-5035	Date: 01/18/2023
Leg. Committee Contact: Edie Adams	Phone: 360-786-7180	Date: 01/11/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/18/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/24/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

Sec. 1 amends RCW 7.68.035. Provisions related to crime victim penalty assessments are removed. Amounts received by the clerk of the superior court for crime victim penalty assessments imposed prior to the effective date of this section shall be paid by the clerk of the superior court to the county treasurer. Upon motion by a defendant, the court shall waive any crime victim penalty assessment imposed prior to the effective date of this section.

Sec. 2 adds a new section to RCW 7.68. The state crime victim and witness assistance account is created in the state treasury. The account shall consist of funds appropriated by the legislature for comprehensive crime victim and witness programs under RCW 7.68.035. Pursuant to appropriation, each quarter, the state treasurer must distribute moneys deposited in the state crime victim and witness assistance account to counties on the basis of each county's distribution factor under RCW 82.14.310. Counties may expend moneys distributed under this section only for purposes specified in RCW 7.68.035.

Sec. 3 amends RCW 43.43.7532. The state DNA database account is created in the custody of the state treasurer. The account shall consist of funds appropriated by the legislature for operation and maintenance of the DNA database. The chief of the Washington State Patrol or the chief's designee may expend 80% of amounts for operation and maintenance of the DNA database and 20% for distribution to the agency responsible for the collection of the biological sample from the offender.

Sec. 4 amends RCW 43.43.7541. Upon motion by the offender, the court shall waive any fee for the collection of the offender's DNA imposed prior to the effective date of this section.

Sec. 15 establishes that this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2023.

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 legislation would have an indeterminate impact on city and county expenditures. City and county law enforcement agencies would need to modify their administrative processes to receive funds from the State Treasury for DNA collection, instead of receiving funds from the county clerk. Counties would need to change their processes for receiving and allocating funding to crime victims and witnesses assistance programs. The impact of these changes and staff time required to implement them will differ between jurisdictions and cannot be estimated at this time.

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 legislation would have an indeterminate revenue impact for cities and counties. Counties receiving funding for crime victim and witness assistance programs would now receive that funding from the State Treasury after legislative appropriation. City and county law enforcement receiving funding for DNA collection would now receive funding from the Washington State Patrol after legislative appropriation.

Because the amount of legislative appropriations for these two accounts is not known at this time, the revenue impacts are indeterminate.

SOURCES:

Washington State Association of Counties
Administrative Office of the Courts