

Multiple Agency Fiscal Note Summary

| | |
|-------------------------------|---|
| Bill Number: 5453 S SB | Title: Female genital mutilation |
|-------------------------------|---|

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 |
| Office of Attorney General | .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 |
| Washington State Patrol | Non-zero but indeterminate cost and/or savings. Please see discussion. | | | | | | | | | | | |
| Department of Health | 3.8 | 887,000 | 887,000 | 887,000 | 3.8 | 882,000 | 882,000 | 882,000 | 3.8 | 882,000 | 882,000 | 882,000 |
| Department of Children, Youth, and Families | Non-zero but indeterminate cost and/or savings. Please see discussion. | | | | | | | | | | | |
| Total \$ | 3.8 | 887,000 | 887,000 | 887,000 | 3.8 | 882,000 | 882,000 | 882,000 | 3.8 | 882,000 | 882,000 | 882,000 |

| 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 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 Attorney General | .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 |
| Department of Health | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Department of Children, Youth, and Families | .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: Breann Boggs, OFM | Phone: (360) 485-5716 | Date Published: Final 2/22/2023 |
|---------------------------------------|---------------------------------|---|

Judicial Impact Fiscal Note

| | | |
|-------------------------------|---|--|
| Bill Number: 5453 S SB | Title: Female genital mutilation | Agency: 055-Administrative Office of the Courts |
|-------------------------------|---|--|

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: Ryan Giannini | Phone: 3607867285 | Date: 02/07/2023 |
| Agency Preparation: Angie Wirkkala | Phone: 360-704-5528 | Date: 02/07/2023 |
| Agency Approval: Chris Stanley | Phone: 360-357-2406 | Date: 02/07/2023 |
| OFM Review: Gaius Horton | Phone: (360) 819-3112 | Date: 02/08/2023 |

182,353.00

Request # 152-1

Part II: Narrative Explanation

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

The bill would bar health care practitioners from performing for nonmedical reasons any procedure involving the removal of or injury to the female external genitalia. Victims of such procedures may bring civil cause of action for damages, reasonable attorneys' fees, and costs with a 10-year statute of limitations, or if the victim is under 18 at the time, up to their 28th birthday.

The substitute adds female genital mutilation to definition of abuse or neglect and that mandatory reporters must report. And adds that a person is guilty of female genital mutilation of a person knowingly permits or transports a minor for female genital mutilation.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact expected to the Administrative Office of the Courts or the courts.

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

182,353.00

Form FN (Rev 1/00)

None

182,353.00

Form FN (Rev 1/00)

3

Request # 152-1

Bill # 5453 S SB

Individual State Agency Fiscal Note

| | | |
|-------------------------------|---|---|
| Bill Number: 5453 S SB | Title: Female genital mutilation | Agency: 100-Office of Attorney General |
|-------------------------------|---|---|

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: Ryan Giannini | Phone: 3607867285 | Date: 02/07/2023 |
| Agency Preparation: Allyson Bazan | Phone: 360-586-3589 | Date: 02/09/2023 |
| Agency Approval: Edd Giger | Phone: 360-586-2104 | Date: 02/09/2023 |
| OFM Review: Cheri Keller | Phone: (360) 584-2207 | Date: 02/10/2023 |

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.

Attorney General's Office (AGO) Agriculture and Health (AHD) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Health (DOH). The bill would prohibit health care providers from engaging in female genital mutilation, but enforcement cases are anticipated to be very rare or non-existent. The bill would also require DOH to engage in public education efforts. However, any legal services required for that work, including any related rulemaking will be minimal. New legal services are nominal and costs are not included in this request.

AGO AHD has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Commerce (Commerce). Commerce was assigned this fiscal note request for its role in estimating the impact of bills on local governments. Commerce itself would not be given any new authorities or responsibilities under this bill. This bill won't generate any legal work for AHD. Therefore, costs are not included in this request.

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.

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: 5453 S SB | Title: Female genital mutilation | Agency: 101-Caseload Forecast Council |
|-------------------------------|---|--|

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: Ryan Giannini | Phone: 3607867285 | Date: 02/07/2023 |
| Agency Preparation: Clela Steelhammer | Phone: 360-664-9381 | Date: 02/09/2023 |
| Agency Approval: Clela Steelhammer | Phone: 360-664-9381 | Date: 02/09/2023 |
| OFM Review: Cynthia Hollimon | Phone: (360) 810-1979 | Date: 02/10/2023 |

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.

SSB 5453

FEMALE GENITAL MUTILATION

101 – Caseload Forecast Council
February 7, 2023

SUMMARY

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

Section 1 States legislative intent.

Section 6 Adds a new section to chapter 9A.36 RCW by establishing a new gross misdemeanor offense of Female Genital Mutilation.

Section 5 Amends RCW 26.44.020 by adding female genital mutilation to the definition of “Abuse or Neglect”.

Section 8 Amends RCW 9A.04.080, the statute of limitations, by stating prosecution for the offense of Female Genital Mutilation may be prosecuted up to 10 years after its commission, or if committed against a victim under the age of 18, up the victim’s 28th birthday, whichever is later.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impacts on beds and supervision.

This bill:

- Establishes a new gross misdemeanor offense.

The Caseload Forecast Council has no information concerning how many incidents of the newly established gross misdemeanor may occur, nor any information concerning how such offenses would be sentenced. As such, the Caseload Forecast Council cannot reliably estimate bed impacts resulting from these provisions of the bill.

Impact on prison and jail beds.

However, as a gross misdemeanor offense, the newly established offense would be punishable by a term of confinement of 0-364 days in jail for individuals sentenced as adults. Therefore, any impact would be on jail beds only.

Impact on local detention and Juvenile Rehabilitation beds.

The establishment of a new gross misdemeanor offense, ranked as Category D on the juvenile grid, is punishable by Local Sanctions (0-30 days in local juvenile detention) for juveniles

adjudicated for the offense. Therefore, any incidence of this offense would likely impact only local juvenile detention beds.

Individual State Agency Fiscal Note

| | | |
|-------------------------------|---|--|
| Bill Number: 5453 S SB | Title: Female genital mutilation | Agency: 225-Washington State Patrol |
|-------------------------------|---|--|

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: Ryan Giannini | Phone: 3607867285 | Date: 02/07/2023 |
| Agency Preparation: Kendra Sanford | Phone: 360-596-4080 | Date: 02/08/2023 |
| Agency Approval: Mario Buono | Phone: (360) 596-4046 | Date: 02/08/2023 |
| OFM Review: Tiffany West | Phone: (360) 890-2653 | Date: 02/09/2023 |

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.

The substitute version of the proposed legislation amends RCW 26.44.020 to include female genital mutilation in the definition of "abuse or neglect", clarifies conviction language, and changes the effective date to take effect immediately. These changes do not change our assumptions identified in the original version.

The proposed legislation creates an indeterminate fiscal impact to the Washington State Patrol (WSP) due to unknown increase in workload.

New Section 2 allows a victim of female genital mutilation to bring a civil cause of action against the person who committed the female genital mutilation.

New Section 3 prohibits a health care provider licensed under chapter 18.130 RCW from performing any procedure constituting female genital mutilation on a minor.

Section 4 adds health care provider to RCW 18.130.180.

New Section 5(1) requires the Department of Health (DOH) to establish an education program for the prevention of female genital mutilation.

New Section 5(2) requires the DOH to develop policies and procedures to promote partnerships with relevant stakeholders to prevent, protect and support victims of female genital mutilation. The WSP is identified as one of these partnerships.

Section 7(1)(e) identifies the statute of limitations for female genital mutilation.

Section 8 identifies sections 1-5 to take effect July 1, 2023.

Section 9 identifies sections 6-7 to take effect July 1, 2025.

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.

New Section 5 requires us to participate in partnerships to prevent, protect, and support victims of female genital mutilation. We are unable to determine our involvement in this partnership.

There is a potential for increased overtime costs for courtroom testimony and hearings. We are unable to determine the potential impacts as there is no reliable way to determine in advance how frequently any of these may occur, but if the impact is significant we will seek additional funding through the legislative process.

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

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: 5453 S SB | Title: Female genital mutilation | Agency: 303-Department of Health |
|-------------------------------|---|---|

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 | 3.8 | 3.8 | 3.8 | 3.8 | 3.8 |
| Account | | | | | |
| General Fund-State 001-1 | 446,000 | 441,000 | 887,000 | 882,000 | 882,000 |
| Total \$ | 446,000 | 441,000 | 887,000 | 882,000 | 882,000 |

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: Ryan Giannini | Phone: 3607867285 | Date: 02/07/2023 |
| Agency Preparation: Sharilynn Boelk | Phone: 3602363000 | Date: 02/22/2023 |
| Agency Approval: Stacy May | Phone: (360) 236-4532 | Date: 02/22/2023 |
| OFM Review: Breann Boggs | Phone: (360) 485-5716 | Date: 02/22/2023 |

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.

Substitute modified section 5 to include children scope and moved the previous section 5 to 6. No change in fiscal impact from original version at this time to include children specific educational materials.

Section 6 requires the Department of Health (department) to establish an education program to prevent female genital mutilation. The education program must include information about health risks, emotional trauma, and civil and criminal penalties for female genital mutilation. The department is to develop policies and procedures to promote partnerships with relevant stakeholders to prevent female genital mutilation and provide assistance to victims of female genital mutilation. The department is to make recommendations and develop procedures regarding training health care providers. And subject to appropriation, it would allow the department to contact with nongovernmental organizations, entities, community groups with experience working with female genital mutilation victims to provide training and materials.

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.

Assumptions

Section 6 requires department to convene a community engagement group. The department assumes no rulemaking will occur since it is not mandated in the bill and not anticipated to be needed. This will be a new program that will need to be built from the ground up. This work will need to occur with a very specific population of immigrants that is marginalized, and it involves cultural and religious ceremonies, so the program will focus on a large amount of community engagement throughout the program period. Due to the nature of this work, the department assumes that in-person meetings with translations will be necessary. Program assumes communications materials will not have a large print-job and will be available online. All staff and expenses are anticipated to be needed on-going for the life of the program.

This section directs the department to convene a community engagement workgroup to ensure appropriate educational information be developed for intended audiences. In compliance with RCW 43.03.220, Compensation of members of part-time boards, commissions, council, workgroup, or other similar group established by executive, legislative or judicial branch – Class one groups, this bill would require compensation of community members with lived experience and/or those living in poverty. All community engagement activities at the department must be in compliance with Title II of the Americans with Disabilities Act, the Heal Act Community Engagement Guide, and possibly the Open Public Meeting Act. In addition to the cost of compensation, observance of these statutory obligations includes providing reimbursement for travel, lodging, and dependent care; translation and interpretation services for all meetings and materials; and the staffing to support managing resources and associated program activities.

STAFFING

1.0 FTE ongoing of a Health Services Consultant 3 Program Manager to coordinate setting up the new program. They will outline partners, conduct strategic planning with partners, develop a work plan with achievable outcomes, manage contracts as needed, and work closely with the Community Engagement Specialist (below). The Program Manager will work with

partners and community members to identify health risks and supportive information related to the trauma associated with FGM. The position will compile information related to civil and criminal penalties associated with the practice of FGM in WA and will work with healthcare providers, community members and HSQA to develop and disseminate the required information to healthcare professionals. This position will work regularly other internal programs and divisions to ensure a coordinated approach to the program.

1.0 FTE ongoing of a Health Service Consultant 3 who will be the Community Engagement Specialist. This position will set up a community engagement work group, hold regular meetings, track tasks of the meetings, ensure equity is built into the process, ensure translations and interpretations services are available, coordinate community compensation for community engagement participants. They will ensure all materials are available in Somali, French and Arabic. This position will work to identify a trusted community partner organization to help with community engagement. They will ensure community compensation is available for attendees. This position could manage contracts with external partners as needed. Implementing Section 5 (4) would require additional resources and could be scaled based on what is appropriated. Due to the topic area of FGM, it is anticipated this will be an on-going need for the life of the program.

0.3 FTE ongoing for a Communications Consultant 4 who will work with the Program Manager and Community Engagement Specialist to produce program materials such as publications on the civil and criminal penalties, health risks and cultural and religious practices associated with FGM, ensuring a trauma-informed approach. These services will be needed to be ongoing throughout the life if the program.

0.3 FTE ongoing of a Management Analyst 5 who works as an Equity and Social Justice Strategist actively collaborates with and advises program and office staff/leaders on how best to integrate and implement Equity and Social Justice principles into office/program-specific work. They are the subject matter expert on community engagement and partnership development and provides consultation and technical assistance to offices and programs on these areas and coordinates alignment with the agency's commitment and approach on these issues. Since this program requires working with a specific population of immigrants, it is very important to have the Equity and Social Justice Strategist very involved with program development and implementation, as well as community engagement.

COMMUNITY ENGAGEMENT

Total cost for 2024 and ongoing is \$20,222 per year

Compensation for participation in the community engagement workgroup : \$7,000/year ongoing

1 workgroup x 10 members per workgroup = 10 members

4 meetings a year x 5 hours (includes 1 hour travel time) x \$35/hour = \$700/member

10 members x \$700 = \$7,000 for each year ongoing

Allowance for caregivers: \$1,200/year ongoing

Assuming 30% of the 10 community engagement workgroup members will need caregiving coverage.

10 work group members x 30% = 3

4 meetings a year x 3 members x \$100 = \$1,200 compensation for caregiver expense

Travel reimbursement: \$3,406/year ongoing

Assuming 75% of the 10 community engagement workgroup members will need travel reimbursement and travel round trip 150 miles. 10 work group members x 75% = 8

4 meetings a year x 8 members x 150 miles round trip x 0.655 mileage rate = \$3,144 compensation for travel

reimbursement.

Assuming 1 program staff traveling to meetings requiring mileage
1 staff x 100 miles x 4 meetings x .655 mileage rate = \$262/year ongoing

Accessibility services: \$6,720/year ongoing

American Sign Language (ASL) interpretation and spoken language interpreter
\$105/hour x 4 hr meetings x 4 meetings ayear = \$1,680/year
\$420/workgroup meeting x 4 subworkgroups x 4 hours= \$1,680/year Somali interpretation
\$420/workgroup meeting x 4 subworkgroups x 4 hours= \$1,680/year French interpretation
\$420/workgroup meeting x 4 subworkgroups x 4 hours= \$1,680/year Arabic interpretation

Communications Access Real-time Translation (CART) services: \$2,400/year ongoing
\$150/hour x 4 meetings/year = \$600 one workgroup
\$600/workgroup x 4 hours = \$2,400 total CART services cost

Translation services for documents: \$540/year ongoing
\$45 minimum/13,200 words per document x 4 meetings = \$180 Somali
\$45 minimum/13,200 words per document x 4 meetings = \$180 French
\$45 minimum/13,200 words per document x 4 meetings = \$180 Arabic

Communications Materials: \$135/year ongoing
Translations: \$45 minimum/13,200 per document x 3 languages (Somali, French, Arabic) = \$135

Total Costs
Total cost for FY 2024 is \$446,000 and 3.8 FTE
Total cost for FY 2025 and ongoing is \$441,000 and 3.8 FTE

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 | 446,000 | 441,000 | 887,000 | 882,000 | 882,000 |
| Total \$ | | | 446,000 | 441,000 | 887,000 | 882,000 | 882,000 |

III. B - Expenditures by Object Or Purpose

| | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | 3.8 | 3.8 | 3.8 | 3.8 | 3.8 |
| A-Salaries and Wages | 273,000 | 278,000 | 551,000 | 556,000 | 556,000 |
| B-Employee Benefits | 107,000 | 108,000 | 215,000 | 216,000 | 216,000 |
| E-Goods and Other Services | 36,000 | 35,000 | 71,000 | 70,000 | 70,000 |
| J-Capital Outlays | 10,000 | | 10,000 | | |
| T-Intra-Agency Reimbursements | 20,000 | 20,000 | 40,000 | 40,000 | 40,000 |
| 9- | | | | | |
| Total \$ | 446,000 | 441,000 | 887,000 | 882,000 | 882,000 |

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 |
|------------------------------|--------|------------|------------|------------|------------|------------|
| COMMUNICATIONS CONSULTANT 4 | 75,120 | 0.3 | 0.3 | 0.3 | 0.3 | 0.3 |
| Fiscal Analyst 2 | 53,000 | 0.6 | 0.6 | 0.6 | 0.6 | 0.6 |
| HEALTH SERVICES CONSULTANT 3 | 75,120 | 2.1 | 2.1 | 2.1 | 2.1 | 2.1 |
| Health Svcs Conslt 1 | 53,000 | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 |
| MANAGEMENT ANALYST 5 | 91,524 | 0.3 | 0.3 | 0.3 | 0.3 | 0.3 |
| Total FTEs | | 3.8 | 3.8 | 3.8 | 3.8 | 3.8 |

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: 5453 S SB | Title: Female genital mutilation | Agency: 307-Department of Children, Youth, and Families |
|-------------------------------|---|--|

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: Ryan Giannini | Phone: 3607867285 | Date: 02/07/2023 |
| Agency Preparation: Jay Treat | Phone: 360-556-6313 | Date: 02/10/2023 |
| Agency Approval: James Smith | Phone: 360-764-9492 | Date: 02/10/2023 |
| OFM Review: Carly Kujath | Phone: (360) 790-7909 | Date: 02/14/2023 |

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.

Comparison of 5453 SB to 5453 SSB:

Section 5(1) amends RCW to include female genital mutilation to the definition of abuse or neglect.

New Section 7(1)(b) clarifies that a person is guilty of female genital mutilation if the person knowingly transports or causes or permits the transport of a minor for the purpose of the performance of female genital mutilation on the minor.

New Section 7(4) clarifies that culture and religion are not defenses to female genital mutilation.

New section 9 changes the effective date of the bill from July 1, 2023, to take effect immediately.

5453 SSB

This bill prohibits female genital mutilation.

New section 2(1) states that a victim may bring a civil suit against the person who committed the mutilation.

New section 3(1) prohibits a health care provider from any procedure constituting female genital mutilation on a minor.

Section 4(29) adds the procedure constituting female genital mutilation to the list of acts constituting unprofessional conduct for any license holder.

Section 5(1) amends RCW to include female genital mutilation to the definition of abuse or neglect.

New Section 7(1)(b) clarifies that a person is guilty of female genital mutilation if the person knowingly transports or causes or permits the transport of a minor for the purpose of the performance of female genital mutilation on the minor.

New Section 7(4) clarifies that culture and religion are not defenses to female genital mutilation.

New Section 9 changes the effective date of the bill from July 1, 2023, to take effect immediately.

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.

Indeterminate fiscal impact.

The last intake received by the Department of Children, Youth, and Families (DCYF) with female genital mutilation was in 2021. Based on this information, DCYF does not anticipate a significant increased intakes. Eventually, if people are more aware of this issue, it could lead to slightly more intakes. There will also be costs associated with updating DCYF policies and WAC 110-30-0030 as well as coordinating with the Department of Health around education and training.

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: 5453 S SB

Title: Female genital mutilation

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

Legislation Impacts:

- Cities: Could incur indeterminate law enforcement, city prosecutor and jail bed costs for adults or juveniles due to establishing a new misdemeanor
- Counties: Same as above but for county prosecuting attorneys.
- 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: The number of gross misdemeanor cases attorneys will prosecute as a result of the new misdemeanor; the number of adults or juveniles who may be sentenced to confinement; how offenses will be sentenced.

Estimated revenue impacts to:

None

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: 02/14/2023 |
| Leg. Committee Contact: Ryan Giannini | Phone: 3607867285 | Date: 02/07/2023 |
| Agency Approval: Alice Zillah | Phone: 360-725-5035 | Date: 02/14/2023 |
| OFM Review: Breann Boggs | Phone: (360) 485-5716 | Date: 02/16/2023 |

Part IV: Analysis

A. SUMMARY OF BILL

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

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The substitute legislation adds a new section of terms and definitions, and it makes the entire act take effect immediately. These changes do not impact the expenditures discussed below.

SUMMARY OF CURRENT BILL:

Sec. 2 adds a new section to chapter 9A.36 to create a private right of action for victims of female genital mutilation.

Sec. 2 (1) allows a victim of female genital mutilation to bring a civil cause of action against the person who committed the female genital mutilation for damages and reasonable attorneys' fees and costs incurred in bringing the action.

Sec. 2 (2) allows a victim of female genital mutilation to begin a civil cause of action within 10 years of the injury, or up until the victim's 28th birthday if the victim was a minor when the injury occurred.

Sec. 5 amends RCW 26.44.020 by adding female genital mutilation to the definition of "Abuse or Neglect."

Sec. 6 adds a new section to chapter 9A.36 RCW by establishing a new gross misdemeanor offense of Female Genital Mutilation.

Sec. 8 amends RCW 9A.04.080, the statute of limitations, by stating prosecution for the offense of Female Genital Mutilation may be prosecuted up to 10 years after its commission, or if committed against a victim under the age of 18, up the victim's 28th birthday, whichever is later.

Sec. 9 adds a new section that states this entire act shall take effect immediately.

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 local government expenditures. It is not possible to predict how many offenses there would be for the new gross misdemeanor, nor the amount of time for which offenders may be sentenced. Costs below are for example purposes only and are taken from the Local Government Fiscal Note's 2023 Crime Costs Matrix.

TOTAL LOCAL GOVERNMENT COSTS:

Local government's average cost for one gross misdemeanor is \$5,660 including law enforcement and prosecution costs. Note that jail costs are not included because sentencing lengths cannot be predicted for the new gross misdemeanor.

LAW ENFORCEMENT COSTS:

Law enforcement's average cost per case for a gross misdemeanor conviction is \$660, which includes costs for arrest, transportation, investigation, evidence preparation, paperwork, court time, and staff and officer time.

PROSECUTION AND DEFENSE COSTS:

Attorney's average cost per case to prosecute or defend a gross misdemeanor is \$2,500.

ADULT JAIL BED COSTS:

The daily jail bed cost for one incarcerated adult is \$145. The newly established gross misdemeanor offense would be punishable by a term of confinement of 0-364 days in jail.

JUVENILE BED COSTS:

According to the Department of Children, Youth and Families' Juvenile Rehabilitation department, the average daily bed cost for one youth at a Juvenile Rehabilitation institution was \$676.44, and at the Community Facilities was \$473.27 in fiscal year 2022. The new gross misdemeanor offense would be punishable by 0-30 days in local juvenile detention.

Washington Association of Prosecuting Attorneys and the Caseload Forecast Council have no information concerning how many incidents of the newly established gross misdemeanor may occur, nor any information concerning how such offenses would be sentenced. As such, neither can reliably estimate expenditure impacts resulting from the legislation.

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 not affect local government revenue.

SOURCES:

Association of Washington Cities

Caseload Forecast Council

Local Government Fiscal Note Program 2023 Crime Cost Matrix

Washington Association of Prosecuting Attorneys