Multiple Agency Fiscal Note Summary

Bill Number: 5046 2S SB Title: Postconviction counsel

Estimated Cash Receipts

NONE

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	4.5	1,527,900	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	1.5	3,594,591	3,594,591	3,594,591	1.5	4,662,971	4,662,971	4,662,971	1.5	4,666,896	4,666,896	4,666,896
Total \$	6.0	5.122.491	5.122.491	5.122.491	7.5	6.661.771	6.661.771	6.661.771	7.5	6.665.696	6.665.696	6.665.696

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-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 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. Total										
Local Gov. Courts										
Loc School dist-SPI										
Local Gov. Other	Non-z	Ion-zero but indeterminate cost and/or savings. Please see discussion.								

Estimated Capital Budget Breakout

Prepared by: Gaius Horton, OFM	Phone:	Date Published:
	(360) 819-3112	Final 2/28/2023

Judicial Impact Fiscal Note

Bill Number: 5046 2S SB	Title: Postconviction counsel	Agency: 055-Administrative Office of the Courts
Part I: Estimates No Fiscal Impact Estimated Cash Receipts to:		

Estimated Expenditures from:

NONE

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: 02/20/2023 Agency Preparation: Angie Wirkkala Phone: 360-704-5528 Date: 02/22/2023 Agency Approval: Chris Stanley Phone: 360-357-2406 Date: 02/22/2023 Phone: (360) 819-3112 Date: 02/23/2023 DFM Review: Gaius Horton

184,678.00 Request # 208-1 Form FN (Rev 1/00) 1 Bill # 5046 2S SB

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

The second substitute bill would not have a different fiscal impact than the previous versions of the bill.

Section 2:

This bill provides authority for the director of the Office of Public Defense (OPD) to administer state-funded services for appellate indigent defense for incarcerated adults and youths under RCW 10.73.150 and for postconviction indigent defense to file and prosecute a first, timely personal restraint petition (PRP) under certain sections of RCW 10.73.150.

Subject to availability of funds, OPD shall prioritize access to counsel for youth under age 25, persons with sentences in excess of 120 months, and persons with disabilities or limited English proficiency.

Subject to availability of funds, this bill provides indigent, incarcerated persons access to counsel 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.

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, depending on the amount of funding appropriated to OPD to fund 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.
- * 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

184,678.00 Request # 208-1 Form FN (Rev 1/00) 2 Bill # 5046 2S SB 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

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: 50	46 2S SB	Title:	Postconviction cou	nsel		Agency: 0	56-Office	of Public Defense
Part I: Estima	tes							
No Fiscal Im	pact							
	•							
Estimated Cash Re	ceipts to:							
NONE								
Estimated Operation	ng Fynenditure	s from•						
Estimated Operation	ng Expenditure	i i oni.	FY 2024	FY 2025	2023-25	5 20	25-27	2027-29
FTE Staff Years			1.5	1.5		1.5	1.5	1.5
Account	001.1		4.004.404	0.000.007	2.504	504	4 000 074	4 000 000
General Fund-State		Total \$	1,264,494 1,264,494	2,330,097 2,330,097	3,594, 3,594,		4,662,971 4,662,971	4,666,896 4,666,896
			1,=0 1,10 1	_,,,,,,,	1 0,000,		-,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1 ,,,,,,,,,,
The cash receipts of and alternate rang			this page represent the ined in Part II.	e most likely fiscal i	impact. Factors	s impacting the	e precision (of these estimates,
			onding instructions:					
	ct is greater than	_	per fiscal year in the	current biennium	n or in subsequ	ent biennia, o	complete e	entire fiscal note
If fiscal impa	ct is less than \$5	0,000 per	fiscal year in the cur	rrent biennium o	r in subsequen	t biennia, cor	nplete this	page only (Part I)
Capital budge	et impact, comple	ete Part IV	7.					
Requires new	rule making, co	mplete Pa	rt V.					
Legislative Conta	act: Ryan Giar	nnini			Phone: 36078	67285	Date: 0	2/20/2023
Agency Preparati	on: Gideon N	ewmark			Phone: 360-58	36-3164 1	Date: 0	02/22/2023
Agency Approva	l: Sophia By	rd McShe	erry		Phone: 360-58	36-3164	Date: 0	02/22/2023
OFM Review:	Gaius Hoi	rton			Phone: (360)	319-3112	Date: 0	02/23/2023

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.

2SSB 5046 would authorize the Office of Public Defense (OPD) to provide indigent persons with access to counsel at state expense for certain post-conviction legal actions, and would require a report.

Section 2(2): Amends RCW 2.70.020 and authorizes OPD, subject to available funds, to provide counsel for indigent persons incarcerated in a juvenile rehabilitation or adult correctional facility to file and prosecute a first, timely personal restraint petition. Section 2(2) requires OPD to establish eligibility criteria that prioritize access to counsel for youth under age 25, persons with sentences longer than 120 months, persons with disabilities, and persons with limited English proficiency.

Section 2(3): Amends RCW 2.70.020 and authorizes OPD, subject to available funds, to provide counsel to petition the sentencing court if the legislature creates an ability to petition the sentencing court, or to provide counsel to challenge a conviction or sentence if a final decision of an appellate court creates the ability to challenge a conviction or sentence.

Section 3: Adds a new section requiring OPD to examine barriers to providing postconviction counsel and report findings and recommendations to the Legislature by December 1, 2024.

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.

The Office of Public Defense (OPD) assumes the following impacts from 2SSB 5046 Section 2(2) (providing counsel for indigent persons to file a first, timely personal restraint petition):

- 1. OPD's authority to provide counsel under Section 2(2) is subject to availability of funds. OPD assumes that the Legislature intends to appropriate some amount to implement Section 2(2) and is basing this fiscal note on the annual number of cases projected to align with the priorities identified in Section 2(2) of the bill. If less funding is available, OPD would scale back the provision of counsel to fit the available funding, prioritizing cases as identified in Section 2(2).
- 2. In order to be prepared for the January 1, 2024 effective date, OPD would hire 1.5 FTE agency staff positions (1 FTE managing attorney, .5 FTE legal assistant) in July 2023. These positions would establish eligibility criteria for prioritizing cases, develop practice standards and training for postconviction counsel, secure and oversee contracts for postconviction counsel, and screen and prioritize cases based on the priorities identified in the bill. 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).
- 3. Because of the January 1, 2024 effective date, OPD assumes 6 months of client services contracts for Fiscal Year 2024.
- 4. OPD assumes that up to 300 indigent personal restraint petitions per year could be eligible for counsel under the priorities established in the bill. To provide counsel for these cases, OPD would enter into full-time client services contracts with up

to 10 attorneys qualified to represent clients in postconviction matters. Client services contract costs are identified at Expenditure Object N (grants, benefits, & client services).

- 5. 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).
- 6. OPD assumes contracted counsel would have travel expenses associated with preparing personal restraint petitions. OPD pays travel costs for contracted attorneys to visit incarcerated clients and for in-person appearances at court. Travel costs are identified at Expenditure Object G (travel).

OPD assumes the following impacts from 2SSB 5046 Section 2(3) (providing counsel if the Legislature or an appellate court creates an ability to petition the sentencing court or challenge a conviction or sentence):

- 1. OPD's authority to provide counsel under Section 2(3) is subject to availability of funds. Section 2(3) is prospective and is conditioned upon potential future action of the Legislature or appellate court. Costs associated with such future actions would be dependent on the nature and scope of the potential legislative or court action. As such, costs associated with Section 2(3) are indeterminate at this time.
- 2. OPD assumes that future legislation, as contemplated in Section 2(3), would include a fiscal note request specific to the legislation. OPD would estimate fiscal impacts specific to the new legislation at that time.
- 3. It is not possible to anticipate how many convictions or sentences might be invalidated by final appellate court action in the future, as contemplated in Section 2(3). OPD assumes that State v. Blake represents a high water mark for void convictions and sentences, and that future void convictions and sentences likely would impact significantly fewer cases than Blake. OPD also assumes that many void convictions and sentences for which counsel could be appointed under Section 2(3) would be challenged as personal restraint petitions, and as such are already included in the assumptions and cost estimates above for Section 2(2).
- 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 could develop budget decision packages and seek funding specifically to address the number of indigent cases involved. OPD assumes that it could be able to absorb the costs of some future court actions, depending on the scope.

OPD assumes the following impacts from 2SSB 5046 Section 3 (directing OPD to examine and report on barriers to providing counsel to file and prosecute a collateral attack):

1. OPD assumes that OPD's existing staff can engage with stakeholders and 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 3 within existing resources.

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	1,264,494	2,330,097	3,594,591	4,662,971	4,666,896
		Total \$	1,264,494	2,330,097	3,594,591	4,662,971	4,666,896

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.5	1.5	1.5	1.5	1.5
A-Salaries and Wages	144,702	145,296	289,998	292,494	295,182
B-Employee Benefits	38,963	39,236	78,199	79,347	80,584
C-Professional Service Contracts					
E-Goods and Other Services	263,493	506,986	770,479	1,013,972	1,013,972
G-Travel	700	1,306	2,006	2,612	2,612
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	816,636	1,637,273	2,453,909	3,274,546	3,274,546
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	1,264,494	2,330,097	3,594,591	4,662,971	4,666,896

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
Legal Assistant	24,702	0.5	0.5	0.5	0.5	0.5
Managing Attorney	120,000	1.0	1.0	1.0	1.0	1.0
Total FTEs		1.5	1.5	1.5	1.5	1.5

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 2S SB	Title:	Postconviction counsel				
Part I: Juri	sdiction-Location	on, type or	status of politi	cal subdivision defines range of fiscal impacts.			
Legislation 1	Impacts:						
X Counties:	Indeterminate increas motions and challeng		res for offices of	county prosecuting attorneys to respond to additional petititions,			
Special Dist	ricts:						
Specific juri	sdictions only:						
Variance occ	curs due to:						
Part II: Es	timates						
No fiscal in	npacts.				_		
Expenditure	es represent one-time	costs:					
Legislation	provides local option	:					
X Key variabl	es cannot be estimate	d with certair	-	Amount of prosecuting attorney time required per additional petition motion or challenge	,		
Estimated reve	enue impacts to:						
None							
Estimated expo	enditure impacts to:						
	Non-zero	but indeter	minate cost and/	or savings. Please see discussion.			

Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone:	564-200-3519	Date:	02/27/2023
Leg. Committee Contact: Ryan Giannini	Phone:	3607867285	Date:	02/20/2023
Agency Approval: Alice Zillah	Phone:	360-725-5035	Date:	02/27/2023
OFM Review: Gaius Horton	Phone:	(360) 819-3112	Date:	02/28/2023

Page 1 of 3 Bill Number: 5046 2S 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.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The second substitute bill would:

- 1. restore existing statutes related to appointment of counsel for indigent offenders under a sentence of death.
- 2. require appointment of counsel for an offender not under a sentence of death who requests counsel to prosecute a motion for collateral attack, other than a personal restraint petition, if the court has determined that the issues raised by the petition establishes grounds for relief.
- 3. allow appointment of counsel for an offender not under a sentence of death for a second or subsequent personal restraint petition or collateral attack other than a personal restraint petition on the same judgment and sentence if the court determines that the petition is not barred by the statute of limitations or if the offender has not previously filed a personal restraint petition or collateral attack on similar grounds.

SUMMARY OF CURRENT BILL:

The proposed legislation would amend several RCWs related to public defense.

Sec. 1 adds that state funding shall be appropriated to provide limited post-conviction counsel to certain adults and juveniles.

Sec. 2 (2) states that subject to the amounts appropriated for this specific purpose, the director of Washington State Office of Public Defense (OPD) shall appoint or provide counsel for incarcerated person's personal restraint petitions including:

- -- youth under age 25
- -- youth or adults with sentences in excess of 120 months
- -- youth or adults with disabilities, and
- -- youth or adults with limited English proficiency.

Sec. 2 (3) states that subject to the amounts appropriated for this specific purpose, the director of OPD shall appoint counsel to:

- -- petition the sentencing court if the Legislature creates an ability to petition the sentencing court; or
- -- challenge a conviction or sentence if the final decision of an appellate court creates the ability to challenge a conviction or sentence.

Sec. 4 states this act shall take effect 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.

CHANGES IN EXPENDITURE IMPACT BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

According to the Washington Association of Prosecuting Attorneys (WAPA), the additional circumstances under which eligible people who have been convicted of a crime would be able to request counsel at state expense would likely increase the number of appeals prosecutor's offices would need to participate in. It is unknown, however, how many additional appeals the changes the second substitute would make may result in, or how much prosecutor time each appeal may require, so the additional local government expenditure impact of the second substitute bill is indeterminate.

EXPENDITURE IMPACT OF CURRENT BILL:

County prosecutor's offices could experience indeterminate increased expenditures as a result of the legislation.

Page 2 of 3 Bill Number: 5046 2S SB

Washington Association of Prosecuting Attorneys (WAPA) estimates prosecutor's offices could incur annual staffing expenses totaling \$2,351,860 to file and prosecute the increased number of petitions and challenges that the bill would allow.

The amount of attorney time that each of these additional legal proceedings may require can vary widely, according to WAPA, resulting in an indeterminate expenditure impact on the offices of county prosecuting attorneys. However, the Office of Public Defense anticipates hiring 10 defense attorneys plus support staff to meet the increased workload that the legislation would create, so WAPA deems it reasonable to assume 10 new prosecutors plus their support staff will be needed to meet the increased workload, as well.

According to the Association of Washington Cities' 2022 Salary and Benefits Survey, a criminal deputy prosecutor's average annual salary is \$151,344, and a legal assistant's average annual salary is \$83,842. Then, the legislation could cause prosecutor's offices to incur \$2,351,860 annually (\$1,513,440 prosecutors + \$838,420 legal assistants) to file and prosecute the increased number of petitions and challenges that the bill would allow.

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 Washington State Association of Counties

Page 3 of 3 Bill Number: 5046 2S SB