

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection
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## Estimated Cash Receipts

NONE

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

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.3	753,000	753,000	753,000	.3	578,000	578,000	578,000	.3	578,000	578,000	578,000
Office of Attorney General	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Lottery	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Gambling Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Insurance Commissioner	.0	0	0	0	.0	0	0	0	.0	0	0	0
Liquor and Cannabis Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Utilities and Transportation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	1,000	1,000	4,000	.0	0	0	0	.0	0	0	0
Washington State Patrol	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
University of Washington	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Eastern Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Central Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
The Evergreen State College	.3	31,788	31,788	31,788	.3	31,788	31,788	31,788	.3	31,788	31,788	31,788
Western Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Parks and Recreation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.6</b>	<b>785,788</b>	<b>785,788</b>	<b>788,788</b>	<b>0.6</b>	<b>609,788</b>	<b>609,788</b>	<b>609,788</b>	<b>0.6</b>	<b>609,788</b>	<b>609,788</b>	<b>609,788</b>

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

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
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
State Lottery	.0	0	0	.0	0	0	.0	0	0
Washington State Gambling Commission	.0	0	0	.0	0	0	.0	0	0
Office of Insurance Commissioner	.0	0	0	.0	0	0	.0	0	0
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Utilities and Transportation Commission	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0
Central Washington University	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Western Washington University	.0	0	0	.0	0	0	.0	0	0
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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

<b>Prepared by:</b> Cynthia Hollimon, OFM	<b>Phone:</b> (360) 810-1979	<b>Date Published:</b> Revised 3/ 7/2023
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note for Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/27/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/27/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/30/2023

180,618.00

Request # 108-1

Form FN (Rev 1/00)

1

Bill # 5299 SB

## Part II: Narrative Explanation

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

The bill would create a new Class C Felony, a new gross misdemeanor, and a civil action:

- \* Amends RCW 9A.36.031 (3rd degree assault) to include off-duty law enforcement officers, but the assault was committed with the intent to specifically target the person due to being a law enforcement officer.
- \* Adds a new section to RCW 9.61 regarding Doxing (publishing private or identifying information on the internet). Doxing is a gross misdemeanor except in the case of a previous conviction of Doxing would be a class C felony.
- \* Creates a civil action for victims of Doxing.
- \* Amends use of force reporting requirements for law enforcement incidents where physical harm occurred by a citizen while performing duties.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No fiscal impact expected to the Administrative Office of the Courts and the courts. There could be additional court filings, but assumed to be minimal.

## 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

180,618.00

Form FN (Rev 1/00)

#### **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

Revised

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 100-Office of Attorney General
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## 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	0.3	0.3	0.3	0.3	0.3
<b>Account</b>					
General Fund-State 001-1	464,000	289,000	753,000	578,000	578,000
<b>Total \$</b>	464,000	289,000	753,000	578,000	578,000

In addition to the estimates above, there are additional indeterminate costs 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: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 03/07/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 03/07/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/07/2023

## Part II: Narrative Explanation

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

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

Section 1: Amends RCW 9A.36.031 to add assaulting an off-duty law enforcement officer due to the officer's employment to the definition of assault in the third degree.

Section 2: New section to RCW 9.61 to add the crime of "doxing" which is posting personally identifiable information to the internet, with intent to cause harm or likelihood of harm and that does cause harm. Includes several exceptions or exemptions.

Section 3: New section to RCW 4.24 to allow for civil actions related to doxing.

Section 4: Amends RCW 9.94A.831 to change "firearm" to "deadly weapon."

Section 5: Amends RCW 10.118.030 to require reporting of assaults upon officers while on duty.

### 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.*

Attorney General's Office (AGO) Administrative Division activities are funded with General Fund-State dollars. No cash receipt impact. There is no client agency to bill for legal services.

### 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.*

Attorney General's Office (AGO) Agency Assumptions:

This bill is assumed effective 90 days after the end of the 2023 legislative session.

Location of staffing is assumed to be in a Seattle office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of an MA.

The fiscal impact of this bill is indeterminate besides the costs detailed below by AGO division. The requirements in this bill are in addition to the requirements under RCW 10.118. The AGO is unable to determine the costs of these additional data and training requirements. The costs to contract this work could range from \$50,000 to \$500,000 per fiscal year plus indeterminate first year development costs ranging from \$100,000 to \$500,000. For the purposes of this fiscal note, we used the middle of the range to estimate the costs, \$250,000 for ongoing costs and \$300,000 for initial. The first year would have half of the annual ongoing costs.

1. Assumptions for the AGO Administrative Division's (ADM) Legal Services:

ADM assumes enactment of this bill will require 0.25 Policy Analyst (Exempt) FTE (PA) for incorporation of new data points into the proposed statewide use of force data program under RCW 10.118.

ADM total FTE workload impact for Seattle rate:

FY 2024 and each following FY: \$39,000 for 0.25 PA.

2. The AGO Public Lands Conservation (PLC) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Natural Resources (DNR), Department of Fish and Wildlife (DFW) and Parks and Recreation (Parks). The enactment of this bill will not impact the provision of legal services to DNR, DFW, or Parks. This bill modifies criminal laws regarding assaults against law enforcement officers and imposes some reporting requirements on law enforcement agencies. These reporting requirements are not anticipated to generate new requests for legal advice. New legal services are assumed to be nominal and costs are not included in this request.

3. The AGO Social & Health Services – Olympia Division (SHO) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Social & Health Services (DSHS). The enactment of this bill will not impact the provision of legal services to the DSHS. The DSHS Office of Fraud and Accountability (OFA) is designated as a Limited Authority Washington Law Enforcement Agency. While OFA would be required to follow the reporting requirements of this bill, it would be unlikely for OFA to be impacted by the provisions of this bill. Therefore, any legal advice generated as a result of this bill is assumed nominal and costs are not included in this request.

4. The AGO Education Division (EDU) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing The Evergreen State College (TESC), Western Washington University (WWU), Central Washington University (CWU), and Eastern Washington University (EWU). The enactment of this bill will not impact the provision of legal services to TESC, WWU, CWU, and EWU because these statutory changes will have little or no impact on legal advice. Any such advice is assumed nominal and costs are not included in this request.

5. The AGO Corrections Division (COR) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Corrections (DOC). This bill defines assault of an off duty law enforcement officer as Assault Three, creates a new crime of "doxing" and corollary civil cause of action for victims of that crime, and requires law enforcement reporting of instances of physical harm to law enforcement officers by citizens. The enactment of this bill will not impact the provisions of legal services to DOC. Therefore, costs are not included in this request.

6. The AGO Solicitor General's Office (SGO) has reviewed this bill and determined it will not significantly increase or decrease the division's workload. The enactment of this bill would not impact the provisions of legal services provided by SGO. Therefore, costs are not included in this request.

7. The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Washington State Patrol (WSP), and Criminal Justice Training Commission (CJTC). The enactment of this bill will not impact the provision of legal services to WSP and CJTC because this legislation (1) includes assault of an off-duty officer as part of Assault Three if the assaulter was assaulting the off-duty officer because they knew he or she was an officer, (2) creates a new crime of "doxing," (3) allows victims of doxing (including officers) to file a civil lawsuit for damages, and (4) requires law enforcement agencies to collect data and report on instances of assault on an officer. CRJ does not anticipate any requests for advice stemming from this bill. Therefore, costs are not included in this request.

8. The AGO Children, Youth and Families Division (CYF) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Children, Youth and Families (DCYF). Section 5 of this bill would amend RCW 10.118.030 to expand the information required to be filed with the use of force data

program by each law enforcement agency, as defined in RCW 10.118.020. This includes incidents in which officers are physically harmed by citizens while performing their duties. To the extent this bill would require DCYF to submit use of force reports. Any legal advice needed to implement this requirement is expected to be nominal and costs are not included in this request.

9. The AGO Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Gambling Commission (GMB), Office of Insurance Commission (OIC), WSP, and Liquor and Cannabis Board (LCB). Section 5 of this bill would amend RCW 10.118.030 to expand the information required to be filed with the use of force data program by each law enforcement agency, as defined in RCW 10.118.020. This includes incidents in which officers are physically harmed by citizens while performing their duties.

GMB and OIC: GCE provides legal advice to GMB and OIC. Although this bill would require GCE’s client agencies to collect and report additional information to the use of force data program, this requirement would not increase the need for legal advice, and therefore, would not have impact on GCE’s work.

WSP and LCB: While GCE provides litigation support to WSP and LCB, general legal advice to these clients is not provided. This bill would not relate to the type of legal services GCE provides to WSP and LCB. Therefore, costs are not included in this request.

10. The AGO Washington State University Division (AGO-WSU) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing Washington State University (WSU). The enactment of this bill will not impact the provision of legal services to WSU. WSU does not anticipate the need for legal advice to implement this bill. Therefore, costs are not included in this request.

11. The AGO University of Washington Division (UOW) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the University of Washington (UW). The enactment of this bill will not impact the provision of legal services to UW. UW does not anticipate the need for legal advice to implement this bill. Therefore, costs are not included in this request.

12. The AGO Utilities and Transportation Commission Division (AGO-UTC) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Washington Utilities and Transportation Commission (Commission). The enactment of this bill will not impact the provision of legal services to the Commission. Although the Commission is a limited authority law enforcement agency under chapter 10.93 RCW, it does not currently employ law enforcement officers, nor does the Commission have plans to do so in the future. This bill thus imposes no duties on Commission and creates no work for AGO-UTC. Therefore, costs are not included in this request.

### 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	464,000	289,000	753,000	578,000	578,000
<b>Total \$</b>			464,000	289,000	753,000	578,000	578,000

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

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.3	0.3	0.3	0.3
A-Salaries and Wages	27,000	27,000	54,000	54,000	54,000
B-Employee Benefits	8,000	8,000	16,000	16,000	16,000
E-Goods and Other Services	429,000	254,000	683,000	508,000	508,000
<b>Total \$</b>	464,000	289,000	753,000	578,000	578,000

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

**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
Management Analyst 5	91,524	0.0	0.0	0.0	0.0	0.0
Policy Analyst (Exempt)	95,000	0.3	0.3	0.3	0.3	0.3
<b>Total FTEs</b>		0.3	0.3	0.3	0.3	0.3

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Headquarters Administration (ADM)	464,000	289,000	753,000	578,000	578,000
<b>Total \$</b>	464,000	289,000	753,000	578,000	578,000

**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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 101-Caseload Forecast Council
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/30/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/30/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/30/2023

## 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.*



**SB 5299**  
**RELATING TO LAW ENFORCEMENT PROTECTION**  
**101 – Caseload Forecast Council**  
**January 30, 2023**

**SUMMARY**

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

- Section 1 Amends RCW 9A.36.031 by expanding the definition of the existing ranked offense of Assault in the Third Degree (Seriousness Level III on the Adult Felony Sentencing Grid and Offense Category C+ on the Juvenile Offender Sentencing Grid) by expanding to include assaults against a law enforcement officer or other employees of a law enforcement agency who was off duty at the time of the assault, but the assault was committed to target the person due to their employment.
- Section 2 Adds a new section to chapter 9.61 RCW that establishes the gross misdemeanor offense of Doxing. Additionally states a person who commits cyber harassment is guilty of a Class C felony if previously convicted of Doxing.
- Section 4 Amends RCW 9.94A.831 by amending the 12 month enhancement of Assault of a Law Enforcement Personnel with a Firearm, by amending the term of “firearm” to “deadly weapon as defined in RCW 9A.04.110.”

**EXPENDITURES**

**Assumptions.**

None.

**Impact on the Caseload Forecast Council.**

None.

**Impact Summary**

- Expands an existing Class C felony;
- Establishes a gross misdemeanor offense; and
- Expands a sentencing enhancement.

**Impacts on Prison, Jail, and Juvenile Rehabilitation beds**

Expansion of Assault in the Third Degree

The Caseload Forecast Council (CFC) has no information about how many more incidents of the expanded felony offense may occur or the sentences that might actually be imposed. Therefore, the CFC cannot reliably predict bed impacts resulting from the bill. However:

- As a Class C felony offense ranked at Seriousness Level III on the adult felony sentencing grid and at Offense Category C+ on the juvenile offender sentencing grid, Assault in the Third Degree is punishable by a standard range term of confinement of:

- Between 1-3 months in jail and 51-60 months in prison for adults (limited to 60 months by the statutory maximum for the offense); and
- Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in the Juvenile Rehabilitation for juveniles.

Given the above, any increased convictions for the offense, based on the provisions of this bill, may result in an increased need for local juvenile detention beds, Juvenile Rehabilitation beds, local jail beds, and prison beds.

#### New offense of Doxing

The CFC 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 CFC cannot reliably estimate bed impacts resulting from these provisions of the bill.

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.

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.

#### Cyber Harassment

In Section 2(3)(b), the bill states that a person who commits Cyber Harassment is guilty of a Class C felony if the person has been previously convicted of Doxing. Cyber Harassment is currently a Class C offense at Seriousness Level 3 on the Adult Felony Sentencing Grid. As the RCW for the offense of Cyber Harassment was not amended, it is assumed there are no impacts based on this added language.

#### Expansion of sentencing enhancement

The bill expands the enhancement of Assault of Law Enforcement Personnel with a Firearm, by expanding it to all deadly weapons. The definition includes weapons other than a firearm, device, instrument, article, or substance which is readily capable of causing death or substantial bodily harm (including a vehicle.) It is possible, given the expanded definition, there may be additional sentences with this 12 months enhancement. The CFC has no information concerning how many incidents may be sentenced with an additional 12-month enhancement under the provisions of the bill. However, as the enhancement of 12 months is added to the standard range, it is most likely to result in an increased bed for prison beds.

#### **Impact on Supervision Caseload.**

The offense of Assault in the Third Degree is categorized as a Crime Against a Person in RCW 9.94A.411. As such, an individual assessed as high risk to reoffend in the community is required to be supervised by the Department of Corrections (DOC) upon release. For individuals releasing from a non-prison sentence, the community custody term may be up to one year; and

for those releasing from prison, one year is required. Individuals on community custody may earn supervision compliance credit under 9.94A.717, and serve less time than the community custody term.

Any additional convictions for the offense based on the provisions of this bill by an individual assessed as high risk to reoffend would increase the DOC's Community Custody caseload.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 116-State Lottery
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: John Iyall	Phone: 360-810-2870	Date: 01/30/2023
Agency Approval: Josh Johnston	Phone: 360-810-2878	Date: 01/30/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 01/30/2023

## Part II: Narrative Explanation

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

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

SB 5299 provides additional protections for law enforcement officers and other employees of a law enforcement agency. Section 1 makes assault of an off-duty law enforcement officer or other employee of a law enforcement agency assault in the third degree if the assault was committed with the intent to target the person due to their employment. Section 3 makes the same behavior subject to a civil cause of action. Section 5 amends RCW 10.118.030 to require each law enforcement agency to report when an officer is assaulted by a citizen while performing their official duties. Section 2 creates the crime of “doxing” in chapter 9.61 RCW.

There is no fiscal impact to Washington’s Lottery. The Lottery is a limited authority law enforcement agency pursuant to RCW 67.70.330. Due to the nature of Lottery employees’ duties, it is exceedingly rare for an assault to occur. If it did occur, the new reporting requirements in Section 5 could be accomplished within existing resources.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 117-Washington State Gambling Commission
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Kriscinda Hansen	Phone: 360-486-3489	Date: 01/31/2023
Agency Approval: Kriscinda Hansen	Phone: 360-486-3489	Date: 01/31/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/01/2023

## Part II: Narrative Explanation

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

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

Section 5 (4) of the bill requires law enforcement agencies to report incidents when a law enforcement officer employed by the agency is harmed by a citizen while performing duties within the scope of their employment.

This bill is no fiscal impact to the Gambling Commission; historically, we have had an officer assaulted in the performance of duties less than once a year. The Gambling Commission estimates that reporting, when necessary, will be approximately two hours. This workload is negligible and will be absorbed by current staff, resulting in no fiscal impact.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 160-Office of Insurance Commissioner
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Michael Walker	Phone: 360-725-7036	Date: 01/30/2023
Agency Approval: Michael Wood	Phone: 360-725-7007	Date: 01/30/2023
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 01/30/2023

## Part II: Narrative Explanation

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

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

Section 5(4) requires each law enforcement agency in the state to report incidents where law enforcement officers employed by the agency are physically harmed by citizens while performing their duties. The report must include details regarding the physical harm committed and the means of committing the harm, whether or not charges were filed against the citizen, disposition information of any related cases, and the reason(s) if charges were not filed.

The new reporting requirement will require the Office of Insurance Commissioner (OIC) to update the agency's Use of Force Reporting policy. The impact of updating the policy is considered minor in nature and can be absorbed through the normal course of OIC business.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 195-Liquor and Cannabis Board
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Colin O Neill	Phone: (360) 664-4552	Date: 01/27/2023
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 01/27/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/30/2023

## Part II: Narrative Explanation

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

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

Section 1(1): A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(h) Assaults a law enforcement officer or other employee of a law enforcement agency who was off duty at the time of the assault, but the assault was committed with the intent to specifically target the person due to their employment as a law enforcement professional;

Section 2:

(1) A person is guilty of doxing if:

- (a) The person intentionally posts another person's personally identifiable information without his or her consent;
- (b) The person knows that posting the personally identifiable information is reasonably likely to cause the person whose information is posted to experience harassment, bodily injury, or death; and
- (c) The posting of the personally identifiable information causes the person whose information is posted to experience a substantial life disruption, harassment, bodily injury, or death.

(2) It is not an offense under this section for a person to:

- (a) Provide another person's personally identifiable information when reporting unlawful activity or when providing such information in response to, or in connection with, an investigation conducted by a government agency or employer; or
- (b) Provide a person's personally identifiable information in connection with lawful and constitutionally protected activities.

(3) (a) Except as provided in (b) of this subsection, doxing is a gross misdemeanor.

(b) A person who commits cyber harassment is guilty of a class C felony if the person has previously been convicted of doxing.

(4) Doxing may be committed in more than one location. The offense is deemed to have been committed in any location in which any element of the offense occurred or in the location in which the person whose personally identifiable information resides.

(6) Adds definitions for a number of terms mentioned in this chapter.

Section 3:

(1) A person who is a victim of an offense under section 2 of this act (doxing) may bring a civil action against the person who committed the offense or against any person who knowingly benefits from the offense.

Section 5(4) Each law enforcement agency in the state must also report each incident where a law enforcement officer employed by the agency is physically harmed by a citizen while performing duties within the scope of their employment including:

- (a) Details regarding the physical harm committed and the means of committing the physical harm;
- (b) Whether or not subsequent charges were filed against the citizen;
- (c) If charges were filed, the ultimate disposition of the case; and
- (d) Reasoning if charges were not filed.

### 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.*

No fiscal impact to the agency.

Section 3 gives the officer the ability to bring a civil suit against someone for doxing. These events have happened in the past, but the agency is not providing the legal means to bring the suit. This is the officer's choice to do so and they would have to fund legal representation.

Section 5 (4) will require the agency to report incidents of physical harm to law enforcement. This reporting is estimated to be an isolated event and not a cost intensive effort. This can be accomplished with existing resources.

### **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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 215-Utilities and Transportation Commission
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Amy Andrews	Phone: 360-481-1335	Date: 01/30/2023
Agency Approval: Amy Andrews	Phone: 360-481-1335	Date: 01/30/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/02/2023



## 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.*

This bill is related to law enforcement officer protection. The bill adds a definition of when a person is guilty of assault in the third-degree including assaults on law enforcement officers who are off duty. Includes when a person is guilty of doxing which is posting individuals PII online. Requires each law enforcement agency in the state to report each incident where a law enforcement officer is physically harmed by a citizen while performing duties within the scope of their employment. While this bill might require the UTC to report if an employee is physically harmed, UTC assume there is no fiscal impact. The UTC is a limited law enforcement agency so this bill might not require UTC to report, and if required, the UTC would absorb the minimal workload impact.

### 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.*

UTC assumes there will be no expenditures resulting from this bill. The UTC is a limited law enforcement agency so this bill might not require UTC to report, and if required, the UTC would absorb the minimal workload impact.

## 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 225-Washington State Patrol
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## 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
<b>Account</b>					
General Fund-State 001-1	1,000	0	1,000	0	0
State Patrol Highway Account-State 081-1	3,000	0	3,000	0	0
<b>Total \$</b>	4,000	0	4,000	0	0

In addition to the estimates above, there are additional indeterminate costs 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: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Kendra Sanford	Phone: 360-596-4080	Date: 01/27/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/27/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/27/2023

## 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 proposed legislation creates an indeterminate fiscal impact to the Washington State Patrol (WSP) due to increased reporting requirements.

Section 1 adds that a person is guilty of assault in the third degree of a law enforcement officer who is off duty at the time of the assault but the assault was committed specifically because of their employment as a law enforcement professional.

New Section 2 adds doxing to chapter 9.61 RCW.

New Section 3 adds civil protections for a person who is a victim of an offense under new Section 2.

Section 5(4) requires each law enforcement agency in the state to report each incident where a law enforcement officer employed by the agency is physically harmed by a citizen while performing duties within the scope of their employment.

### 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.*

We report injuries on a Fleet, Loss/Damage to Equipment, Use of Force, and Pursuit (FLUP) form through our Crime Investigation and Tracking of Evidence (CITE) system. Section 1(1)(h) will require us to update the FLUP to include off-duty assaults. We anticipate reprogramming changes will take 40 hours in FY2024 by an IT-Administration, Journey Level.

Once CITE is updated, we estimate the collection and submission of data for compliance in Section 1(1)(h) and Section 5(4) will not require a significant amount of personnel time, and can be done within current job duties.

Information from Section 5(4) is to be submitted to the statewide use of force data program. This program has not yet been established, and we are unable to determine a fiscal impact. A fiscal impact may occur if there is a required technology access fee or a change in our current technology to interface with the new system.

The proposed legislation may result in increased public disclosure requests. We are unable to determine the increased workload at this time.

The funding allocation for this estimate is based on the results of the Joint Legislative Audit and Review Committee cost allocation model approved by both the Transportation and the Omnibus Budget Committees in the 2022 Supplemental Budget. The model analyzes costs and relevant activities (hours, transactions, type of enforcement, etc.) of Washington State Patrol (WSP) organizations funded by two or more sources to ensure a consistent and fair use of state resources.

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 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	1,000	0	1,000	0	0
081-1	State Patrol Highway Account	State	3,000	0	3,000	0	0
<b>Total \$</b>			4,000	0	4,000	0	0

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

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages	2,000		2,000		
B-Employee Benefits	1,000		1,000		
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs	1,000		1,000		
<b>Total \$</b>	4,000	0	4,000	0	0

In addition to the estimates above, there are additional indeterminate costs 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 300-Department of Social and Health Services
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Bill Jordan	Phone: 360-902-8183	Date: 01/30/2023
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 01/30/2023
OFM Review: Robyn Williams	Phone: (360) 704-0525	Date: 01/30/2023

## 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 Department of Social and Health Services (DSHS), Office of Fraud and Accountability (OFA) is designated as a Limited Authority Washington Law Enforcement Agency. OFA would be required to follow the reporting requirements of this bill. It is rare that OFA would find themselves using the provision of the bill. There will be a minimal impact to OFA. The work could be covered within existing resources.

There is no fiscal impact to DSHS for this bill.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 307-Department of Children, Youth, and Families
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

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

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Renee Slaybaugh	Phone: 360-688-8714	Date: 01/31/2023
Agency Approval: James Smith	Phone: 360-764-9492	Date: 01/31/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/01/2023

## Part II: Narrative Explanation

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

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

SB 5299 is an Act relating to law enforcement officer protection; amending RCW 9A.36.031, 9.94A.831, and 10.118.030; adding a new section to chapter 9.61 RCW; adding a new section to chapter 4.24 RCW; and prescribing penalties.

Section 1(2)(h): Amends RCW 9A.36.031 to add that a person is guilty of assault in the third degree if they assault a law enforcement officer or other employee of a law enforcement agency who was off duty at the time of the assault, but the assault was committed with the intent to specifically target the person due to their employment as a law enforcement professional.

Section 2: Adds to RCW 9.61 the offense of "doxing" which (a) the person intentionally posts another person's personally identifiable information without his or her consent; (b) The person knows that posting the personally identifiable information is reasonably likely to cause the person whose information is posted to experience harassment, bodily injury, or death; and (c) The posting of the personally identifiable information causes the person whose information is posted to experience a substantial life disruption, harassment, bodily injury, or death. This is all a gross misdemeanor. However, if a person commits cyber harassment is guilty of a class C Felony if the person has previously been convicted of doxing.

Section 3: Adds to RCW 4.24 and allows for a person who is a victim of an offense of doxing or cyber harassment to bring a civil action against the person who committed the offense or against any person who knowingly benefits, financially or by receiving anything of value, from participating in any venture that the person knew or should have known was a violation and may recover damages and any other appropriate relief.

Section 4: Amends RCW 9.94A.831 to change "firearm" to "deadly weapon as defined in RCW9A.04.110," pertaining to assaulting a law enforcement officer.

Section 5: Amends RCW 10.118.030, adding the requirement of law enforcement agencies to report each incident where a law enforcement officer employed by the agency is physically harmed by a citizen while performing duties within the scope of their employment.

### II. B - Cash receipts Impact

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

None.

### II. C - Expenditures

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

Fiscal impact to the Department of Children, Youth and Families (DCYF) is indeterminate.

It is difficult to determine the exact impact of Sections 1 and 2 pertaining to assaulting a law enforcement officer, doxing or cyber harassment. There is the potential for persons who have committed these offenses to be committed to DCYF/Juvenile Rehabilitation (JR). The impact is unknown at this time but would most likely be minimal.

DCYF assumes the impact will result when the Average Daily Population (ADP) caseload changes in the JR residential facilities forecast. The impact would be reflected in the forecasted maintenance level budget step. DCYF will true up our

fiscal impact in subsequent budget submittals if the legislation is enacted into law.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

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

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

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

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

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

NONE

#### IV. C - Capital Budget Breakout

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

NONE

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

NONE

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

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

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Stephanie Marty	Phone: (360) 725-8428	Date: 02/01/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 02/01/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/01/2023

## 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.*

5299 SB relates to providing protection for law enforcement officers, amending RCW 9A.36.031, 9.94A.831 and 10.118.030. New sections recognize off duty assaults and reporting assault incidents when they occur.

New section 1 (h) adds that assaults a law enforcement officer, or other employee of a law enforcement agency who was off duty at the time of the assault and was an intentional targeted assault, is added to the list of conditions by which a person is guilty of assault in the third degree.

New section 2 adds that intentional doxing of a person's personally identifiable information is a gross misdemeanor, except when reporting unlawful activity or when needed for an investigation. This section amends cyber harassment as a class C felony if a person has been convicted of doxing previously.

New section 3 adds victims of doxing, or cyber harassment may bring civil charges against the person who committed the crime violating RCW 9A.36.031 and may recover damages including attorney's fees.

Section 4 amends RCW 9.94A.831 to use the language "deadly weapon as defined in RCW 9A.04.110" in place of the word "firearm".

Section 5 amends law enforcement agencies must report incidents and if charges were filed when a law enforcement officer is physically harmed by a citizen while performing duties.

New section 6 states if any provision in this act is held invalid, the remainder of the act is not affected.

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

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

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

This bill adds a new condition relating to a person found guilty of assault in the third degree by way of assault of a law enforcement officer, or other employee of a law enforcement agency who was off duty at the time of the assault and the assault was an intentional targeted assault. This bill also adds a new condition for doxing and cyber harassment charges and changes the definition of a firearm to a deadly weapon.

The Caseload Forecast Council (CFC) has no information concerning how many incidents of the new condition relating to how many incidents of law enforcement officers, or other employees of a law enforcement agencies who were off duty at the time of an assault and the assault was an intentional targeted assault. The CFC has no information concerning the number of doxing and cyber harassment incidents relating to this amended bill change. As such, the CFC cannot reliably predict bed impacts resulting from the bill.

The DOC expects that passage of this bill would likely result in an Average Daily Population (ADP) increase, although the impact cannot be reliably estimated. Therefore, the fiscal impact is indeterminate, assumed to be less than \$50,000 per FY.

#### ASSUMPTIONS

The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.

We assume Direct Variable Cost (DVC) of \$6,980 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with Office of Financial Management, Senate, and House staff each legislative session.

This bill creates a new crime RCW with subsections specifying the crime as a gross misdemeanor or a class C felony, depending on the circumstances. If it passes, IT programming will be required to update the RCW detail table.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 360-University of Washington
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## Part I: Estimates

No Fiscal Impact

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Charlotte Shannon	Phone: 2066858868	Date: 01/31/2023
Agency Approval: Charlotte Shannon	Phone: 2066858868	Date: 01/31/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## Part II: Narrative Explanation

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

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

SB 5299 does the following:

Section 1(1)(h) adds to the definition of when a person is guilty of assault in the third degree to include:

Assaulting a law enforcement officer or other employee of a law enforcement agency who was off duty at the time of the assault, but the assault was committed with the intent to specifically target the person due to their employment as a law enforcement professional.

Section 2 is a new section, adding a person is guilty of doxing if the person intentionally posts another person's personally identifiable information without his or her consent; the person knows that posting the personally identifiable information is reasonably likely to cause the person whose information is posted to experience harassment, bodily injury, or death; and the posting of the personally identifiable information causes the person whose information is posted to experience a substantial life disruption, harassment, bodily injury, or death. This section also provides exceptions to this rule, and key definitions.

Section 3 is a new section providing a person who is a victim of an offense under section 2 of this act may bring a civil action against the person who committed the offense or against any person who knowingly benefits, financially or by receiving anything of value, from participating in any venture that the person knew or should have known violated RCW 9A.36.031

Section 4 strikes the work firearm, and replaces it with deadly weapon as defined in RCW 9A.04.110

Section 5 adds the following requirement:

Each law enforcement agency in the state must also report each incident where a law enforcement officer is physically harmed while performing duties within the scope of their employment including:

- (a) Details regarding the physical harm committed and the means of committing the physical harm;
- (b) Whether or not subsequent charges were filed against the citizen;
- (c) If charges were filed, the ultimate disposition of the case;
- (d) Reasoning if charges were not filed.

### FISCAL IMPACTS OF SB 5299:

The University of Washington Police Department (UWPD) and the University of Washington (UW) as a whole do not anticipate fiscal impacts of SB 5299. If this bill were to pass, the UWPD would likely revise its policy under LEOSA (Federal Law Enforcement Officer Safety Act), which could be absorbed within existing roles and resources. The UWPD already has an accreditation standard that requires them to report assaults on sworn officers, which would need to be amended to include off-duty injury occurrences prescribed by this bill. However, this could be absorbed within existing roles and resources and would have no fiscal impact.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 365-Washington State University
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Brittney Gamez	Phone: 509-335-5406	Date: 01/30/2023
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/30/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/31/2023

## 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.*

5299 SB defines targeted crimes committed against law enforcement officers due to their employment as assault in the third degree and specifies when law enforcement agencies must report incidents where a law enforcement officer is physically harmed. WSU estimates no fiscal impact.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 370-Eastern Washington University
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 01/31/2023
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 01/31/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## Part II: Narrative Explanation

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

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

SB 5299 amends RCW 9A.36.031, 9.94A.831, and 10.118.030, and adds new sections to chapter 9.61 and 4.24 RCW, making provisions for assault in the 3rd degree of a law enforcement officer, doxing, reporting of incidents, and prescribed penalties. Any minor additional reporting requirements generated by the passing of this bill will be absorbed within current resources, therefore EWU anticipates no fiscal impact.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 375-Central Washington University
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Erin Sargent	Phone: 509-963-2395	Date: 01/31/2023
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 01/31/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## Part II: Narrative Explanation

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

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

Section 1 is amended to add (1)(h) language that includes assaults where an off-duty officer is knowingly targeted, to those assaults identified as third-degree assaults.

Section 2: New Section – (1) provides guidance related to doxing, including actions that are considered doxing, as well as (2-4) guidance as to what is not an offense, gross misdemeanor classification, and how the location of the offense will be determined. (6) provides definitions related to the chapter.

Section 3: new Section – Provides remedies for victims of doxing and guidance related to court action.

Section 4: Amended section - (2) replaces “firearm” with “deadly weapon as defined in RCW 9A.04.110.

Section 5: adds reporting requirements for agencies to report each incident where a law enforcement officer is physically harmed by a citizen.

Central Washington University expects to allocate all requirements related to implementing the bill among existing resources, and does not expect any additional fiscal impact.

### 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

Revised

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 376-The Evergreen State College
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## 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	0.3	0.3	0.3	0.3	0.3
<b>Account</b>					
General Fund-State 001-1	15,894	15,894	31,788	31,788	31,788
<b>Total \$</b>	15,894	15,894	31,788	31,788	31,788

### 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: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 01/30/2023
Agency Approval: Dane Apalategui	Phone: 360-867-6517	Date: 01/30/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2023

## Part II: Narrative Explanation

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

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

SB 5299 relates to law enforcement officer protection.

Section 1 (1) (h) adds “a law enforcement officer of other employee of a law enforcement agency who was off duty at the time of the assault, but was targeted due to their employment as a law enforcement professional.”

Section 2 (1) (a) adds a definition of “doxing” that includes the intentional posting of another person’s personally identifiable information without his or her consent.

Section 2 (1) (b) the person knows that posting the information is reasonably likely to cause the person whose information is posted to experience harassment, bodily injury, or death.

Section 2 (1) (c) The posting of the personally identifiable information causes the person whose information is posted to experience a substantial life disruption, harassment, bodily injury, or death.

Section 2 (6) provides definitions of “bodily injury,” “electronic communication,” “harassment,” “personally identifiable information,” “post,” and “substantial life disruption.”

Section 3 (1) adds that a person who is a victim of an offense under section 2 may bring a civil action against the person who committed the offense or against anyone who knowingly benefits.

Section 4 (2) revises “the defendant intentionally committed the assault with what appears to be a firearm” to “committed the assault with what appears to be a deadly weapon” as defined in RCW 9A.04.110.

Section 5 (4) requires each law enforcement agency in the state to report each incident where a law enforcement officer is physically harmed by a citizen while performing duties within the scope of their employment.

### 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.*

Evergreen would require a .25 FTE Administrative Assistant for the reporting aspect of this bill. Benefits are calculated at 8.3%.

## 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	15,894	15,894	31,788	31,788	31,788
<b>Total \$</b>			15,894	15,894	31,788	31,788	31,788

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.3	0.3	0.3	0.3
A-Salaries and Wages	14,676	14,676	29,352	29,352	29,352
B-Employee Benefits	1,218	1,218	2,436	2,436	2,436
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	15,894	15,894	31,788	31,788	31,788

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Assistant	58,704	0.3	0.3	0.3	0.3	0.3
<b>Total FTEs</b>		0.3	0.3	0.3	0.3	0.3

**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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 380-Western Washington University
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Timothy Davenport	Phone: 3606503257	Date: 01/30/2023
Agency Approval: Kimberley Ayre	Phone: 3606503377	Date: 01/30/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/31/2023



## 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.*

This Act is intended to enhance protections for employees of law enforcement agencies.

Section 5(4): Adds a requirement that each law enforcement agency must report each incident where a law enforcement officer employed by the agency is physically harmed by a citizen while performing duties within the scope of their employment.

Impact on Western:

Minimal impact in regards to reporting injuries to officers. Only change is reporting any time an officer is injured in line of duty, therefore there is no real impact to this as we already do crime statistic notifications – would be a similar process.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 465-State Parks and Recreation Commission
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Robert Ingram	Phone: (360) 902-8615	Date: 01/27/2023
Agency Approval: Van Church	Phone: (360) 902-8542	Date: 01/27/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/27/2023

## Part II: Narrative Explanation

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

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

Section 1 provides language regarding the assault of an off-duty law enforcement officer or employee of a law enforcement agency.

Section 2 adds a new section defining the act of doxing.

Section 3 allows victims of offenses under Section 2 of this bill to bring civil action against the offenders.

Section 4 adds reporting requirements.

Since State Parks does not fall under the definition of law enforcement agency and employs only limited-authority peace officers, this legislation would have no fiscal impact to the agency.

### 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.*

Since State Parks does not fall under the definition of law enforcement agency and employs only limited-authority peace officers, this legislation would have no fiscal impact to the agency.

## 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

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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 477-Department of Fish and Wildlife
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: David Hoeveler	Phone: (360) 970-1638	Date: 01/31/2023
Agency Approval: David Hoeveler	Phone: (360) 970-1638	Date: 01/31/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/31/2023

## Part II: Narrative Explanation

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

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

Section 5(4) Directs each law enforcement agency in the state to report each incident where a law enforcement officer employed by the agency is physically harmed by a citizen while performing duties within the scope of their employment. The reporting requirement is in line with current enforcement procedures and creates no fiscal impact.

### 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

<b>Bill Number:</b> 5299 SB	<b>Title:</b> Law enf. officer protection	<b>Agency:</b> 490-Department of Natural Resources
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Preparation: Ana Cruz	Phone: 3609021121	Date: 01/31/2023
Agency Approval: Collin Ashley	Phone: 360-688-3128	Date: 01/31/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/31/2023

## 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.*

This bill amends the current RCW to now include additional circumstances where Assault can be charged. It also adds a new section that covers when "Doxing" can be charged. The bill additional adds a new section for civil remedies in the form a litigation for victims of Doxing. Lastly the bills adds a requirement that law enforcement agencies report when an officer is the victim of an assault, if the suspect was charged and if charged the disposition of the case. It also requires law enforcement notification when charges are not filed.

If Department of Natural Resources (DNR) law enforcement officers (LEO) are assaulted, the assault is investigated, and reports are filed by the local Sheriff 's Office. DNR LEOs will assist in the investigation however, they are not the lead investigatory agency. DNR LEOs do not investigate assaults on other LEOs.

### 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.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5299 SB

Title: Law enf. officer protection

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

### Legislation Impacts:

Cities: Approximately \$221,430 for law enforcement training on new, modified criminal offenses; indeterminate increased law enforcement costs due to new reporting requirement; indeterminate increased law enforcement costs as a result of processing additional incidents of expanded class C felony offense, new gross misdemeanor offense; indeterminate expenditure impact a result of increased demand for jail beds

Counties: Approximately \$67,200 to train law enforcement officers on new, modified criminal offenses; indeterminate increased law enforcement costs due to new reporting requirement; indeterminate expenditure impact on law enforcement, prosecutors and public defenders as a result of processing additional incidents of expanded class C felony offense, new gross misdemeanor offense; indeterminate expenditure impact due to increased demand for jail, juvenile detention beds

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

## Part II: Estimates

No fiscal impacts.

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

Legislation provides local option:

Key variables cannot be estimated with certainty at this time: Number of incidents of expanded class C felony offense and new gross misdemeanor offense that may occur; number of future assaults on on-duty local law enforcement officers that may occur

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

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

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

## Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 02/02/2023
Leg. Committee Contact: Joe McKittrick	Phone: 3607867287	Date: 01/26/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/02/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/02/2023

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

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

The proposed legislation would amend the definition of an existing class C felony offense, create a new gross misdemeanor offense and create a new cause of civil action, among other requirements.

Section 1 would amend RCW 9A.36.031, expanding the definition of the existing class C felony offense of assault in the third degree to include a person, under circumstances not amounting to assault in the first or second degree, assaulting “a law enforcement officer or other employee of a law enforcement agency who was off duty at the time of the assault,” where “the assault was committed with the intent to specifically target the person due to their employment as a law enforcement professional.”

Section 2 would add a new section to chapter 9.61 RCW, creating the new gross misdemeanor offense of doxing. This section would provide a definition of the circumstances under which a person would be guilty of doxing and would specify that someone with a previous conviction for doxing would be guilty of a class C felony offense if convicted of cyber harassment.

Section 3 would add a new section to chapter 4.24 RCW, creating a new cause of civil action for someone who is a victim of doxing.

Section 4 would amend RCW 9.94A.831, expanding the special allegation for someone convicted of assaulting a law enforcement officer performing their duties at the time of the assault from it being proven beyond a reasonable doubt that the person intentionally committed the assault with what appears to be a firearm, to a deadly weapon as defined in RCW 9A.04.110.

Section 5 would amend RCW 10.118.030, requiring law enforcement agencies to “report each incident where a law enforcement officer employed by the agency is physically harmed by a citizen while performing duties within the scope of their employment.” This section would specify details these reports would be required to include, and would require that these reports be submitted to the Attorney General's Office's use of force database.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

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

The proposed legislation would have both determinate and indeterminate impacts on local government expenditures.

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

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

Cities:

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

Counties:

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

Total:

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

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

Additionally, WASPC indicates that the reports that would be required by section 5 to be submitted to the use of force database of the Attorney General's Office would require approximately five minutes of officer time per report. It is unknown how many incidents of law enforcement officers being harmed by citizens while performing duties within the scope of their employment may occur in the future, however, so the magnitude of this expenditure impact is indeterminate

Per the 2021 Crime in Washington Report, there were 1,968 assaults on on-duty law enforcement officers in that year.

According to the Washington State Caseload Forecast Council's (CFC) fiscal note on this bill, both expanding the definition of an existing class C felony offense and creating a new gross misdemeanor offense could impact demand for jail beds. As a class C felony ranked at seriousness level III, assault in the third degree is punishable by a confinement term of between one to three months in jail or 51-60 months in prison, depending on a person's prior criminal history. As a gross misdemeanor, doxing would be punishable by a term of confinement of 0-364 days in jail.

However, since it is unknown how many incidents of the new class C felony offense may occur, and CFC does not collect data on misdemeanor and gross misdemeanor offenses, it cannot predict the jail bed impacts resulting from this bill, so the associated expenditure impact on local governments is indeterminate. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost of occupying a jail bed is \$145.

According to the CFC fiscal note for this bill, the expansion of an existing class C felony offense and the creation of a new gross misdemeanor offense could also increase demand for county juvenile detention beds. As an offense ranked at C+ on the juvenile sentencing grid, assault in the third degree is punishable by between 0-30 days in juvenile detention and 15-36 weeks in juvenile rehabilitation. As an offense ranked at D on the juvenile sentencing grid, doxing would be punishable by 0-30 days in juvenile detention. The Local Government Fiscal Note Program does not have detailed information on the costs of juvenile detention, however the average daily rate for juvenile detention beds is generally higher than the same figure for a jail bed. Additionally, it is unknown how many juvenile incidents of the expanded class C felony offense of assault in the third degree or the new gross misdemeanor offense of doxing may occur as a result of this bill's provisions, so the total increase in county juvenile detention expenditures is indeterminate.

In addition to bed impacts, the creation of a new gross misdemeanor offense and the expansion of an existing class C felony offense could increase law enforcement, prosecution and public defense expenditures as a result of processing additional incidents of these offenses. According to the 2023 Local Government Fiscal Note Program Criminal Justice Cost Model, the combined law enforcement, prosecution and public defense costs to process an incident of a gross misdemeanor, and a class C felony simple assault offense are as follows:

Gross misdemeanor: \$5,660

Class C felony for simple assault: \$3,533

However, given that it is unknown how many incidents of the new and expanded offenses may occur, the magnitude of the expenditure impacts on local governments from processing incidents of these offenses is indeterminate.

## **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:**

Crime in Washington Report, 2021

Local Government Fiscal Note Program Criminal Justice Cost Model, 2023

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council