

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1169 E S HB	<b>Title:</b> Legal financial obligations
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	520,000	520,000	520,000	520,000	520,000	520,000	520,000	520,000	520,000
Office of State Treasurer	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Washington State Patrol	0	0	(964,000)	0	0	(964,000)	0	0	(964,000)
<b>Total \$</b>	<b>520,000</b>	<b>520,000</b>	<b>(444,000)</b>	<b>520,000</b>	<b>520,000</b>	<b>(444,000)</b>	<b>520,000</b>	<b>520,000</b>	<b>(444,000)</b>

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts		4,994,000		4,994,000		4,994,000
Loc School dist-SPI						
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	3,900	3,900	3,900	.0	0	0	0	.0	0	0	0
Office of State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	1.0	246,800	246,800	246,800	1.0	235,800	235,800	235,800	1.0	235,800	235,800	235,800
<b>Total \$</b>	<b>1.0</b>	<b>250,700</b>	<b>250,700</b>	<b>250,700</b>	<b>1.0</b>	<b>235,800</b>	<b>235,800</b>	<b>235,800</b>	<b>1.0</b>	<b>235,800</b>	<b>235,800</b>	<b>235,800</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.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									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Gaius Horton, OFM	<b>Phone:</b> (360) 819-3112	<b>Date Published:</b> Final 3/13/2023
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1169 E S HB	<b>Title:</b> Legal financial obligations	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

Account	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-State 001-1	260,000	260,000	520,000	520,000	520,000
Counties	2,495,000	2,495,000	4,990,000	4,990,000	4,990,000
Cities	2,000	2,000	4,000	4,000	4,000
<b>Total \$</b>	<b>2,757,000</b>	<b>2,757,000</b>	<b>5,514,000</b>	<b>5,514,000</b>	<b>5,514,000</b>

### Estimated Expenditures from:

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years					
<b>Account</b>					
General Fund-State 001-1	3,900		3,900		
State Subtotal \$	3,900		3,900		
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
<b>Account</b>					
Local - Cities					
Cities Subtotal \$					

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note 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: Yvonne Walker	Phone: 360-786-7841	Date: 03/04/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 03/10/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/10/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/10/2023

186,203.00

Form FN (Rev 1/00)

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Request # 236-1

Bill # 1169 E S HB

## Part II: Narrative Explanation

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

The engrossed substitute would not change the fiscal impact to the Administrative Office of the Courts. There would be a change to the cash receipt impact because the local crime victim fund will still receive assessments from non-indigent adult defendants.

When a defendant is convicted of a crime, the court may impose legal financial obligations (LFOs) as part of the judgment and sentence. Legal financial obligations include: victim restitution; court costs; costs associated with the defendant's prosecution and sentence; criminal offense fines; and other fees, penalties, and assessments. Some types of LFOs are mandatory and must be imposed by the court, including the crime victim penalty assessment and the DNA database fee.

The bill would eliminate the crime victim's penalty assessment for some defendants and the DNA database fee.

### II. B - Cash Receipts Impact

The local crime victims fund would continue to receive distributions from monies collected as the result of crime victim and DNA funds assessed on cases prior to July 1, 2023, as well as the applicable bond/bail forfeitures prior to July 1, 2023. The local crime victims fund would continue to receive distributions from monies collected as a result of crime victim funds assessed on cases of non-indigent adult defendants as of July 1, 2023, as well as the applicable bond/bail forfeitures as of July 1, 2023. No crime victim assessments would be imposed on cases with a juvenile defendant, or with an adult defendant who does not have the ability to pay as of July 1, 2023. No DNA assessments would be imposed on cases as of July 1, 2023, and these assessments would not be applicable to bail/bond forfeitures.

#### CRIME VICTIM'S PENALTY ASSESSMENT - COUNTIES

The average cash receipt impact from removing the juvenile crime victim's penalty assessment for years 2019 – 2022 would equal an average yearly loss of \$2,433,000. For the purposes of this fiscal note, this is the average loss is included in the summary tables. The impact of removing indigent adult crime victim's penalty assessment in future years is unknown. An additional revenue decrease of 30% - 50% could be experienced by counties with the waiver of indigent adult assessments.

#### DNA ASSESSMENTS – STATE/COUNTIES/CITIES

The average cash receipt impact from removing the DNA assessments for years 2019 – 2022 would equal an average yearly loss of \$325,000.

\*State: \$260,000

\*Counties: \$63,000

\*Cities: \$2,000

### II. C - Expenditures

Minimal fiscal impact is expected to the Administrative Office of the Courts for court forms (40 hours, less than \$4,000).

Legal Services Senior Analyst. Beginning July 1, 2023 through June 30, 2024, AOC would require salary, benefits, and associated standard costs for 0.02 FTE to update court forms.

#### AOC STAFF IMPACTS INCLUDE STANDARD COSTS

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

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

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

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

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

There may be an impact to court filings or to court accounting for the waiver of assessments imposed before the effective date of the bill. This impact is indeterminate.

## Part III: Expenditure Detail

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Form FN (Rev 1/00)

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Request # 236-1

Bill # 1169 E S HB

### Part III: Expenditure Detail

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

State	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
Salaries and Wages	2,300		2,300		
Employee Benefits	700		700		
Professional Service Contracts					
Goods and Other Services	100		100		
Travel	100		100		
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements	700		700		
<b>Total \$</b>	<b>3,900</b>		<b>3,900</b>		

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

NONE

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

NONE

#### III. D - FTE Detail

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Senior Analyst	114,400	0.0		0.0		
<b>Total FTEs</b>		<b>0.0</b>		<b>0.0</b>		<b>0.0</b>

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

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B1 - Expenditures by Object Or Purpose (State)

NONE

#### IV. B2 - Expenditures by Object Or Purpose (County)

NONE

#### IV. B3 - Expenditures by Object Or Purpose (City)

NONE

#### IV. C - Capital Budget Breakout

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

NONE

186,203.00

Form FN (Rev 1/00)

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1169 E S HB	<b>Title:</b> Legal financial obligations	<b>Agency:</b> 090-Office of State Treasurer
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## Part I: Estimates

No Fiscal Impact

**Estimated Cash Receipts to:**

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

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 03/04/2023
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 03/06/2023
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 03/06/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 03/06/2023

## 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.*

ESHB 1169 creates the state crime victim and witness assistance account, coupled with the general fund as the recipient of the earnings from investments under RCW 43.84.092(4). Pursuant to appropriation, the state treasurer must distribute moneys deposited into this account to the counties.

### II. B - Cash receipts Impact

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

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

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

### II. C - Expenditures

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

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

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1169 E S HB	<b>Title:</b> Legal financial obligations	<b>Agency:</b> 225-Washington State Patrol
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

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

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
<b>Account</b>					
General Fund-State 001-1	128,900	117,900	246,800	235,800	235,800
<b>Total \$</b>	128,900	117,900	246,800	235,800	235,800

### 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: Yvonne Walker	Phone: 360-786-7841	Date: 03/04/2023
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 03/06/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 03/06/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 03/06/2023

## 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 engrossed substitute version of this bill does not change our projected fiscal impact.

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

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

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

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

Section 15 declares that this act is null and void if not funded in the omnibus appropriations act.

### II. B - Cash receipts Impact

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

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

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

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

### II. C - Expenditures

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

There is a small increased cost to this fiscal note relative to prior versions. That is merely because we are recognizing a recently-approved change in our indirect cost rate.

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

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

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We compute estimated support expenditures such as supplies & materials, communications, computer costs (hardware and software), vehicle and vehicle operating costs, among others, using average costs to support agency FTEs. We adjust the estimated support costs to reflect the needs of individual divisions or positions within the agency.

We base our estimate for agency indirect costs on the federal indirect cost rate of 33.41 percent approved by the U.S. Department of Transportation on February 14, 2023. This rate is effective July 1, 2023, and is used on all estimates completed after the approval date. 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	128,900	117,900	246,800	235,800	235,800
<b>Total \$</b>			128,900	117,900	246,800	235,800	235,800

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	55,900	55,900	111,800	111,800	111,800
B-Employee Benefits	24,100	24,100	48,200	48,200	48,200
C-Professional Service Contracts					
E-Goods and Other Services	6,700	5,500	12,200	11,000	11,000
G-Travel	1,200	1,200	2,400	2,400	2,400
J-Capital Outlays	11,200	1,800	13,000	3,600	3,600
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs	29,800	29,400	59,200	58,800	58,800
<b>Total \$</b>	128,900	117,900	246,800	235,800	235,800

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	55,872	1.0	1.0	1.0	1.0	1.0
<b>Total FTEs</b>		1.0	1.0	1.0	1.0	1.0

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1169 E S HB

Title: Legal financial obligations

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

### Legislation Impacts:

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

## Part II: Estimates

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

### Estimated revenue impacts to:

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

### Estimated expenditure impacts to:

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

## Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 03/13/2023
Leg. Committee Contact: Yvonne Walker	Phone: 360-786-7841	Date: 03/04/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 03/13/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/13/2023

## **Part IV: Analysis**

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

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

This note compares current version ESHB 1169 to SHB 1169.

#### **CHANGES BETWEEN THIS VERSION AND PRIOR BILL VERSION:**

The engrossed substitute reinstates the assessment for adults found guilty of felonies, gross misdemeanors and misdemeanors. These changes do not change the indeterminate impacts discussed below.

#### **SUMMARY OF CURRENT BILL:**

Sec. 1 amends RCW 7.68.035. Penalties for juveniles including fees and community restitution are removed.

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

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

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

Sec. 16 establishes that this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2023.

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

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

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

### **C. SUMMARY OF REVENUE IMPACTS**

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

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

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

**SOURCES:**

Washington State Association of Counties

Administrative Office of the Courts