

Multiple Agency Fiscal Note Summary

Bill Number: 1240 S HB	Title: Firearms/assault weapons
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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
Department of Revenue	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)
Total \$	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)	(400,000)

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	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Revenue	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	0	0	0	.0	0	0	0	.0	0	0	0
Criminal Justice Training Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Loc School dist-SPI									
Local Gov. Other			1,154,520						
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			1,154,520						

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
Department of Revenue	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

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

Estimated Capital Budget Breakout

Prepared by: Cheri Keller, OFM	Phone: (360) 584-2207	Date Published: Final 4/ 4/2023
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Judicial Impact Fiscal Note

Bill Number: 1240 S HB	Title: Firearms/assault weapons	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

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

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: Alia Kennedy	Phone: 360-786-7405	Date: 03/28/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 03/30/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/30/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 04/03/2023

187,119.00

Form FN (Rev 1/00)

1

Request # 263-1

Bill # 1240 S HB

Part II: Narrative Explanation

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

The striking amendment would have no impact.

The proposed legislation, with exceptions, bans the manufacture, import, distribution, and sale of certain firearms defined as “assault weapons” in the bill. Violations of the ban are a new gross misdemeanor under RCW 9.41.

II. B - Cash Receipts Impact

II. C - Expenditures

No fiscal impact is expected to the Administrative Office of the Courts. The bill creates a new gross misdemeanor which would not require any court form, judicial resource, or case management system impacts.

Impact on the courts due to increased filings is indeterminate. We do not have data about the increased caseload.

Part III: Expenditure Detail

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

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

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

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

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

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

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

187,119.00

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

Individual State Agency Fiscal Note

Bill Number: 1240 S HB	Title: Firearms/assault weapons	Agency: 100-Office of Attorney General
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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: Alia Kennedy	Phone: 360-786-7405	Date: 03/28/2023
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 04/03/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 04/03/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 04/03/2023

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 Attorney General's Office (AGO), Government Compliance and Enforcement (GCE) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. GCE provides program-specific litigation support to the Washington State Patrol (WSP) and litigates certification actions for the Criminal Justice Training Commission (CJTC). This bill would amend the definition of "assault weapon" and would prohibit the manufacture, import, distribution, sale or offering for sale of any assault weapon, except as specifically authorized in the new Section 3. None of these provisions would impact any of the work handled by GCE for WSP or CJTC. Therefore, costs are not included in this request.

The AGO Licensing and Administrative Law (LAL) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. The enactment of this bill will have little to no impact on the provision of legal services to the Department of Licensing (DOL) Firearms Program. The proposed bill primarily adds an extensive definition of Assault Weapons, among other minor amendments. It is possible that LAL would be asked for legal advice regarding interpretation of the additions and amendments, or to answer constituent correspondence, especially prior to and immediately after the law becomes effective. However, any new legal services are assumed to be nominal and costs are not included in this request.

The AGO Criminal Justice (CRJ) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. The enactment of this bill will not impact the provision of legal services to WSP and CJTC because this proposed bill primarily adds an extensive definition of Assault Weapons, among other minor amendments. It is possible that CRJ would be asked for legal advice regarding interpretation of the additions and amendments. However, any new legal services are assumed to be nominal and costs are not included in this request.

The AGO Corrections Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. The enactment of this bill will not impact the provision of legal services to the Department of Corrections (DOC) because the bill expressly exempts state law enforcement agencies from the assault weapon prohibitions. Therefore, this bill will not affect DOC operations and costs are not included in this request.

The AGO Administrative Division has reviewed this bill and determined that there is no fiscal impact. This legislation is not expected to generate any costs or savings for AGO.

The AGO Solicitor General's Office has reviewed this bill and determined that there is no fiscal impact. This legislation is not expected to generate any costs or savings for AGO.

The AGO Complex Litigation Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. Any new legal services are nominal and costs are not included in this request.

II. B - Cash receipts Impact

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

II. C - Expenditures

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

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1240 S HB	Title: Firearms/assault weapons	Agency: 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: Alia Kennedy	Phone: 360-786-7405	Date: 03/28/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 03/29/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 03/29/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/04/2023

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.

SHB 1240

ESTABLISHMENT OF FIREARM-RELATED SAFETY MEASURES

101 – Caseload Forecast Council
March 29, 2023

SUMMARY

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

Section 1 States the legislative intent of the bill.

Section 2 Amends RCW 9.41.040 by establishing definitions for Assault Weapon, Detachable Magazine, and Semiautomatic.

Section 3 Adds a new section to chapter 9.41 RCW that establishes a new gross misdemeanor offense concerning assault weapons.

Section 4 Adds a new section to chapter 9.41 RCW that establishes violations of Section 3 as unfair or deceptive act or practice or unfair method of competition in the conduct of trade or commerce for purposes of the consumer protection act.

Section 5 Contains a null and void clause.

Section 6 States the act shall take effect immediately.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impacts.

This bill:

- Establishes a new gross misdemeanor offense.

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

Impact on prison and jail beds

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

Impact on Juvenile Rehabilitation and local beds

The establishment of a new gross misdemeanor offense, ranked as Category D on the juvenile grid, is punishable by Local Sanctions (0-30 days in local juvenile detention) for juveniles adjudicated for the offense. Therefore, any incidence of this offense would likely impact only local juvenile detention beds.

Department of Revenue Fiscal Note

Bill Number: 1240 S HB	Title: Firearms/assault weapons	Agency: 140-Department of Revenue
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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
GF-STATE-State 01 - Taxes 01 - Retail Sales Tax	(200,000)	(200,000)	(400,000)	(400,000)	(400,000)
Total \$	(200,000)	(200,000)	(400,000)	(400,000)	(400,000)

Estimated 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.

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- 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: Alia Kennedy	Phone: 60-786-7405	Date: 03/28/2023
Agency Preparation: Erin Valz	Phone: 60-534-1522	Date: 03/31/2023
Agency Approval: Valerie Torres	Phone: 60-534-1521	Date: 03/31/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/31/2023

Request # 1240-1-1

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.

CURRENT LAW:

There are certain restrictions on weapons defined as “semiautomatic assault rifles.” However, current law does not define or regulate a group of weapons designated as “assault weapons.”

PROPOSAL:

This bill prohibits the manufacture, importation, distribution, sale, or offer for sale of any assault weapon. There are exceptions to these prohibitions for licensed firearm manufacturers and dealers, and for individuals who inherit an assault weapon.

Provides that a violation of these restrictions constitutes a gross misdemeanor and is actionable under the Consumer Protection Act.

EFFECTIVE DATE:

This bill contains an emergency clause and takes effect immediately upon the governor’s approval.

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.

ASSUMPTIONS

- It is assumed there is low use tax compliance on firearms transfers between private parties.
- Based on available research, this estimate assumes a substitution effect of 80%. This represents the shift to purchasing another weapon in lieu of purchasing assault weapons.
- 70% of sales of weapons are used and 30% are new.
- Due to historical fluctuations in purchasing behavior, this estimate assumes zero growth.
- There will be minimal impacts to business and occupation taxes.
- There will be minimal impacts to the performance audit account.
- This legislation will be effective May 12, 2023. As a result, there will be 12 months of cash collections in Fiscal Year 2024 and twelve months thereafter.

DATA SOURCES

- NBCnews.com, "America's rifle: Why so many people love the AR-15"
- anthonyarms.com, "How Much Does An AR-15 Cost?"
- Preferences for Firearms and Their Implications for Regulation, August 2022, https://bfi.uchicago.edu/wp-content/uploads/2022/08/BFI_WP_2022-115.pdf
- Washington State Department of Licensing.

REVENUE ESTIMATES

This bill decreases state revenues by an estimated \$200,000 in the 12 months of impacted collections in fiscal year 2024, and by \$200,000 in fiscal year 2025.

This bill also decreases local revenues by an estimated \$100,000 in the 12 months of impacted collections in fiscal year 2024, and by \$100,000 in fiscal 2025.

TOTAL REVENUE IMPACT:

Request # 1240-1-1

State Government (cash basis, \$000):

FY 2024 - (\$ 200)
FY 2025 - (\$ 200)
FY 2026 - (\$ 200)
FY 2027 - (\$ 200)
FY 2028 - (\$ 200)
FY 2029 - (\$ 200)

Local Government, if applicable (cash basis, \$000):

FY 2024 - (\$ 100)
FY 2025 - (\$ 100)
FY 2026 - (\$ 100)
FY 2027 - (\$ 100)
FY 2028 - (\$ 100)
FY 2029 - (\$ 100)

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 department will have minimal costs of approximately \$2,000 for 40 hours of work by a communication consultant for updating relevant information on the department's website in fiscal year 2024 to implement this legislation and will absorb within current funding.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

NONE

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

NONE

III. C - 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

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 1240 S HB	Title: Firearms/assault weapons	Agency: 225-Washington State Patrol
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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: Alia Kennedy	Phone: 360-786-7405	Date: 03/28/2023
Agency Preparation: Thomas Bohon	Phone: (360) 596-4044	Date: 03/29/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 03/29/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 03/29/2023

Part II: Narrative Explanation

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

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

The substitute version of the proposed legislation does not change our estimate of no fiscal impact to the Washington State Patrol (WSP).

Section 2 of the proposed legislation adds definitions for "Assault Weapon", "Detachable Magazine", and "Semiautomatic".

Section 3 bans the manufacture, import, distribution, selling, and offering for sale of any assault weapon in the state, making those actions a gross misdemeanor. The substitute version adds a definition for "law enforcement agency".

Section 5 contains a null and void clause.

Section 6 states the act shall take effect immediately.

II. B - Cash receipts Impact

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

NONE

II. C - Expenditures

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

Subsection 3(1) bans the manufacture, import, distribution, selling, and offering for sale of any assault weapon in the state, with exceptions laid out in subsection 3(2). Among those exceptions are manufacture, import, distribution, sale, or offer for sale of assault weapons by licensed firearms manufacturers or dealers who are properly licensed under federal and state law (subsections 3(2)(a) and 3(2)(b) respectively) for the purpose of sale to any person who does not reside in Washington state, branch of the armed forces of the United States or the state of Washington, or to a federal or state law enforcement agency so long as it is for the explicit use by that agency or its employees for law enforcement purposes.

Subsection 3(2)(c) further adds an exception for the distribution, offer for sale, or sale of an assault weapon to or by a properly licensed dealer, where the dealer acquires the assault weapon from an individual legally authorized to possess or transfer said assault weapon, for the purpose of selling or transferring the assault weapon to a person who does not reside in the state. Furthermore, subsection 3(2)(c) goes on to say the intent of the section is to allow individuals who no longer wish to own an assault weapon to sell their assault weapon.

As a law enforcement agency, we have weapons that are classified under the definition of "Assault Weapon" in the proposed legislation. Common practice when we purchase new weapons is to trade in old weapons to manufacturers and dealers in return for discounts on the new weapons. None of the exceptions account for this unique situation, and thus we must assume we will no longer be allowed to continue the practice of trading in "Assault Weapons" when we purchase new ones. We assume we can absorb any costs associated with no longer receiving discounts.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1240 S HB	Title: Firearms/assault weapons	Agency: 227-Criminal Justice Training 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: Alia Kennedy	Phone: 360-786-7405	Date: 03/28/2023
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 03/29/2023
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 03/29/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/04/2023

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 has no fiscal impact to the Washington State Criminal Justice Training Commission.

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.

This bill has no cash receipt impact.

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.

This bill has no expenditure 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

Bill Number: 1240 S HB	Title: Firearms/assault weapons	Agency: 310-Department of Corrections
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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: Alia Kennedy	Phone: 360-786-7405	Date: 03/28/2023
Agency Preparation: Jaysanna Wang	Phone: (360) 725-8428	Date: 04/03/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 04/03/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/04/2023

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.

New language in this engrossed substitute bill that has impact:

Substitute House Bill 1240 is the newest version of the bill and amends language in Section 3 and Section 4, which is assumed to have no fiscal impact to Department of Corrections (DOC).

Previous Bill Language that has impact:

House Bill 1240 establishes firearms-related safety measures and creates a new gross misdemeanor related to assault weapons.

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 assume this bill will have no fiscal impact to the Department of Corrections (DOC).

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

Impact on prison and jail beds:

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 and this bill will have no fiscal impact to DOC.

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: 1240 S HB

Title: Firearms/assault weapons

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

Legislation Impacts:

Cities: Approximately \$885,720 to provide training to law enforcement officers on new criminal offense; indeterminate expenditure impact on law enforcement as a result of processing incidents of new gross misdemeanor offense; indeterminate expenditure impact due to increased demand for jail beds

Counties: Approximately \$268,800 to train law enforcement officers on new criminal offense; indeterminate expenditure impact on enforcement, prosecutors and public defenders as a result of processing incidents of 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 \$1,154,520 to provide training to local law enforcement officers on new criminal offense

Legislation provides local option:

Key variables cannot be estimated with certainty at this time: Number of incidents of new gross misdemeanor offense that may occur

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	885,720		885,720		
County	268,800		268,800		
TOTAL \$	1,154,520		1,154,520		
GRAND TOTAL \$					1,154,520

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: 03/31/2023
Leg. Committee Contact: Alia Kennedy	Phone: 360-786-7405	Date: 03/28/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/31/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 04/03/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

This fiscal note analyzes the impact of SHB 1240, comparing it to the impact of HB 1240.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The substitute bill would exempt the manufacture, importation, distribution, offer for sale, or sale of an assault weapon by a licensed firearms manufacturer for the purposes of sale to a person who does not reside in Washington from the new gross misdemeanor offense that section 3 would create. The substitute would also clarify that information obtained by the Office of the Attorney General through a civil investigative demand pursuant to RCW 19.86.110 cannot be shared with a law enforcement agency conducting a criminal investigation except pursuant to the issuance of a search warrant.

These changes would not affect the local government expenditure or revenue impacts below.

SUMMARY OF CURRENT BILL:

Section 2 would amend RCW 9.41.010, adding definitions of “assault weapon,” “detachable magazine” and “semiautomatic.”

Section 3 would add a new section to chapter 9.41 RCW, creating a new gross misdemeanor for manufacturing, importing, distributing, selling or offering for sale any assault weapon, as defined in section 2. Section 3 would also specify exemptions to the newly created gross misdemeanor offense, such as assault weapons sales by properly licensed dealers to an armed forces branch or law enforcement agency.

Section 6 states that the bill would take effect immediately.

B. SUMMARY OF EXPENDITURE IMPACTS

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

The 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 new offense this bill would create. WASPC estimates that approximately two hours of training would be required per law enforcement officer. This training would require a one-time cost of \$885,720 for cities and \$268,800 for counties, for a total one-time cost to local governments of \$1,154,520.

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 two hours of training, the cost to local governments would be:

Cities:

6,710 officers X 2 hours X \$66 = \$885,720

Counties:

2,240 officers X 2 hours X \$60 = \$268,800

Total:

\$885,720 + \$268,800 = \$1,154,520

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

According to the Washington State Caseload Forecast Council's (CFC) fiscal note on this bill, the creation of a new gross misdemeanor offense, punishable by 0-364 days in jail, could increase demand for jail beds. However, since it is unknown how many incidents of the new offense may occur, 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 creation of a new gross misdemeanor offense, ranked at category D on the juvenile sentencing grid, and punishable by a standard range term of 0-30 days in local juvenile detention, could also increase demand for county juvenile detention beds. 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 new gross misdemeanor offense may occur, so the total increase in county juvenile detention expenditures as a result of this bill's provisions is indeterminate.

In addition to bed impacts, the creation of a new gross misdemeanor offense could increase law enforcement, prosecution and public defense expenditures as a result of processing incidents of the new offense. 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 are \$5,660. However, given that it is unknown how many incidents of the new offenses may occur, the magnitude of the expenditure impacts on local governments from processing incidents of this offense 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:

Local Government Fiscal Note Program Criminal Justice Cost Model, 2023

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council