

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1169 E S HB AMS WM S2943.1	<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	(8,000)	(8,000)	(8,000)	(8,000)	(8,000)	(8,000)	(8,000)	(8,000)	(8,000)
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)
Total \$	(8,000)	(8,000)	(972,000)	(8,000)	(8,000)	(972,000)	(8,000)	(8,000)	(972,000)

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts		(328,000)		(328,000)		(328,000)
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
Administrative Office of the Courts	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Office of State Treasurer	.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
Total \$	0.0	3,900	3,900	3,900	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 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	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

NONE

<b>Prepared by:</b> Gaius Horton, OFM	<b>Phone:</b> (360) 819-3112	<b>Date Published:</b> Final 4/24/2023
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1169 E S HB AM: WM S2943.1	<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	(4,000)	(4,000)	(8,000)	(8,000)	(8,000)
Counties	(162,000)	(162,000)	(324,000)	(324,000)	(324,000)
Cities	(2,000)	(2,000)	(4,000)	(4,000)	(4,000)
<b>Total \$</b>	(168,000)	(168,000)	(336,000)	(336,000)	(336,000)

### 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 \$					

In addition to the estimates above, there are additional indeterminate costs 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: Julie Murray	Phone: 786-7711	Date: 04/08/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 04/18/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 04/18/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 04/24/2023

187,934.00

Request # 278-1

## Part II: Narrative Explanation

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

The striking amendment to the engrossed substitute would have the following fiscal impacts to the Administrative Office of the Courts (AOC) and the courts.

NEW: Section 5 would require the AOC to review revenue collection data and provide an assessment of the fiscal impact of eliminating the crime victim penalty assessment on juveniles and indigent adults in this act and provide a report to the Legislature by February 1, 2025. The AOC would also be required to work with the county clerks to review the grant program in RCW 2.56.190 and report findings to the Legislature by December 1, 2023.

Section 17 would require the state to pay for a second sex offender examination and Section 18 would require the state to pay for the cost of substance use or mental health disorder examinations unless third party insurance can cover the cost.

Sections 20 and 23 would eliminate all legal financial obligations (LFOs) for juveniles, which is in addition to the fiscal impacts of earlier versions of the bill which would have only eliminated the crime victim's penalty assessment for some defendants and the DNA database fee.

Other impacts in earlier versions of the bill included 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 earlier versions of the bill would have only eliminated the crime victim's penalty assessment for some defendants and the DNA database fee.

### II. B - Cash Receipts Impact

NOTE: The Washington State Patrol is showing a revenue loss to the DNA Database Account (Fund 515). The courts collect revenue to this account. To avoid a double count of lost revenue to the account, the judicial impact note lists the impacts in the narrative, but AOC removed the impacts from the summary tables for Fund 515 assuming the Washington State Patrol is showing a revenue loss, including court revenue.

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. Additionally, this striking amendment would eliminate all other juvenile LFOs.

#### 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 -\$33,000. 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.

#### ALL OTHER JUVENILE LFOs

The average cash receipt impact from removing the other juvenile LFOs for years 2017 – 2022 would equal an average yearly loss of -\$70,000.

\*State – DNA Database Account: -\$260,000

\*State – General Fund-State: -\$4,000

187,934.00

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\*Counties: -\$162,000

\*Cities: -\$2,000

## II. C - Expenditures

There would be costs to the AOC with the addition of the responsibilities to report to the Legislature in Section 5. Those are expected to be absorbed within the existing AOC budget.

There would be an indeterminate fiscal impact to the state/AOC under the striking amendment under Sections 17 and 18 for paying for juvenile evaluations and treatment. Forms impacts remain unchanged and minimal.

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

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

<i>State</i>	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>		

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

187,934.00

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Form FN (Rev 1/00)

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**III. D - FTE Detail**

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

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

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

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1169 E S HB AM: WM S2943.1	<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: Julie Murray	Phone: 786-7711	Date: 04/08/2023
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 04/10/2023
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 04/10/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 04/11/2023



## 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 AMS WM S2943.1 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 AM: WM S2943.1	<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	(482,000)	(482,000)	(964,000)	(964,000)	(964,000)
Account-Non-Appropriated 515-6					
<b>Total \$</b>	(482,000)	(482,000)	(964,000)	(964,000)	(964,000)

### 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: Julie Murray	Phone: 786-7711	Date: 04/08/2023
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 04/10/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 04/10/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 04/11/2023

## 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 as amended by the Ways & Means committee continues to have a fiscal impact to the Washington State Patrol (WSP) for cash receipts, but removes the fiscal impact to expenditures as represented in prior fiscal notes.

Section 3 states that the 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 to replace the revenue lost as Section 4 of the bill eliminates the receipts from RCW 43.43.7541.

Section 3 in the Ways & Means amendment no longer states that 20% of funding in the Account is for "distribution to the agency responsible for the collection of the biological sample from the offender." Instead all funding in the Account is intended to be spent for "operation and maintenance of the DNA database", which is the current situation.

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 26 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 will 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 \$482,000 annual appropriation to cover the foregone past revenue into the Account.

### 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 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." We assume that it is the intent of the Legislature to maintain a balance in this Account through legislative appropriation from another account to allow for us to continue to spend about \$482,000 annually to maintain the DNA database. If that does not happen, we would need to cut back by whatever shortfall there is. Currently we charge the equivalent of between one and two positions and \$200K+ annually for supplies and materials in support of maintenance and operations of the DNA Database.

## 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

<b>Bill Number:</b> 1169 E S HB AM; WM S2943.1	<b>Title:</b> Legal financial obligations
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## 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: Kate Fernald	Phone: 564-200-3519	Date: 04/17/2023
Leg. Committee Contact: Julie Murray	Phone: 786-7711	Date: 04/08/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 04/17/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 04/24/2023

## **Part IV: Analysis**

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

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

This note compares HB 1169-S.E AMS WM S2943.1.pdf to ESHB 1169.

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

The striker would provide that a court must not impose the crime victim penalty assessment upon an adult defendant who is indigent at the time of sentencing. It would also require county clerks to consult with the Administrative Office of the Courts to evaluate if the Legal Financial Obligations Program is meeting its intended purpose.

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

Sec. 1 amends RCW 7.68.035. Penalties for juveniles including fees and community restitution are removed, and a court must not impose the crime victim penalty assessment upon an adult defendant who is indigent at the time of sentencing. Additionally, upon motion by a defendant, the court shall waive any crime victim penalty assessment imposed prior to the effective date of this section if: (a) The person was a juvenile at the time the penalty assessment was imposed; or (b) The person does not have the ability to pay the penalty assessment. A person does not have the ability to pay if the person is indigent as defined in RCW 10.01.160(3).

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 purpose of the account is to mitigate to fiscal impact from the elimination of the crime victim penalty assessment on juveniles and indigent adults in this act. 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 authorize expenditures from the account. Expenditures from the account may be used only for creation, operation and maintenance of the DNA database under RCW 43.43.754.

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. 5 adds a new section. The Administrative Office of the Courts (AOC) must consult with county clerks to for the purpose of examining if the legal financial obligation (LFO) program is serving its intended purpose in light of the legislative changes to LFOs. AOC must report findings and recommendations to the Legislature by December 2023.

Sec. 14 adds a new section to chapter 13.40. No fine, fee, cost or surcharge may be imposed or collected by the court, or any agent of the court, against any juvenile, or parent or guardian of a juvenile, in connection with any juvenile offender proceeding including, but not limited to, fees for diversion, DNA sampling, or victim's penalty assessments.

Sec. 20 amends RCW 13.40.192. A judgement against a juvenile for any legal financial obligation, other than restitution, including but not limited to fines, penalty assessments, attorneys' fees, court costs and other administrative fees, is not enforceable after the effective date of this section. The Superior Court Clerk shall not accept payments from a respondent who was ordered to pay legal financial obligations after the effective date of this section.

Sec. 22 adds a new section. Nothing in this act requires a court to refund or reimburse amounts previously paid toward legal financial obligations, interests on legal financial obligations, or any other costs.

Sec. 25 adds a new section. Section 16 of this act expires when section 15 of this act expires.

Sec. 27 adds a new section. Except for section 15 of this act, 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.*

### **CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The amendment would require county clerks to consult with the Administrative Office of the Courts to evaluate if the Legal Financial Obligations Program is meeting its intended purpose, resulting in a de minimis impact to county clerks.

### **EXPENDITURE IMPACTS OF CURRENT BILL:**

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.

County clerks would experience de minimis impacts as a result of consulting on whether the Legal Financial Obligations Program is accomplishing its intended purpose, according to the Washington Association of County Officials.

## **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.*

### **CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The amendment would not change the local government revenue impact.

### **REVENUE IMPACTS OF CURRENT BILL:**

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:**

Administrative Office of the Courts  
Washington Association of County Officials  
Washington State Association of Counties