

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1961 HB	<b>Title:</b> Animal cruelty/seriousness
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	Fiscal note not available											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	.0	25,290	25,290	25,290	.0	45,780	45,780	45,780	.0	45,780	45,780	45,780
Department of Corrections	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	<b>0.0</b>	<b>25,290</b>	<b>25,290</b>	<b>25,290</b>	<b>0.0</b>	<b>45,780</b>	<b>45,780</b>	<b>45,780</b>	<b>0.0</b>	<b>45,780</b>	<b>45,780</b>	<b>45,780</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
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	Fiscal note not available								
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
<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	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

### Estimated Capital Budget Breakout

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Preliminary 1/ 9/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1961 HB	<b>Title:</b> Animal cruelty/seriousness	<b>Agency:</b> 101-Caseload Forecast Council
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/03/2024
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/04/2024
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/04/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/04/2024

## 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.*

# **HB 1961**

## **CONCERNING ANIMAL CRUELTY IN THE FIRST DEGREE**

**101 – Caseload Forecast Council  
January 3, 2024**

### **SUMMARY**

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

Section 1 Amends RCW 9.94A.515 by expanding the offense of Animal Cruelty in the First Degree ranked at Seriousness Level 1 by removing the restriction the offense occurred with sexual conduct or contact.

### **EXPENDITURES**

#### **Assumptions.**

None.

#### **Impact on the Caseload Forecast Council.**

None

#### **Impact Summary**

This bill:

- Ranks an existing Class C felony offense that is currently unranked.

#### **Impacts on prison and jail beds.**

Currently, as an unranked felony, the offense is not subject to the standard sentencing ranges. Courts are required to impose determinate sentences which may include 0-365 days of confinement. Ranked at SL 3, the offense would be subject to a sentencing range of between 1-3 months in jail and 51-60 months in prison, depending on the individual's prior history. Therefore, this changes in this bill would likely impact both jail beds and prison beds.

While the impacts are indeterminate, the following is provided for informational purposes. In Fiscal Year 2023, there were 19 individuals sentenced to a standard range sentence unranked offense of Animal Cruelty 1°. As an unranked offense, no offender score is required so the Caseload Forecast Council (CFC) is unable to estimate impacts of ranking the offense. The information below is based on a review of the Judgment and Sentence forms (J&S). The estimated score was calculated assuming the J&Ss reviewed contained a complete history:

9 would have a score of 0, with a standard range of 1-3 months;  
3 would have a score of 1, with a standard range of 3-8 months;  
2 would have a score of 2, with a standard range of 4-12 months;

2 would have a score of 3, with a standard range of 9-12 months;  
2 would have a score of 4, with a standard range of 12.03-16 months; and  
1 would have a score of 8, with a standard range of 43-57 months;

**Impacts on DOC supervision population.**

None.

**Impact on local detention and Juvenile Rehabilitation beds.**

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1961 HB	<b>Title:</b> Animal cruelty/seriousness	<b>Agency:</b> 307-Department of Children, Youth, and Families
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

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: Michelle Rusk	Phone: 360-786-7153	Date: 01/03/2024
Agency Preparation: Jay Treat	Phone: 360-556-6313	Date: 01/08/2024
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 01/08/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/09/2024



## Part II: Narrative Explanation

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

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

Section 1 amends RCW 9.94A.515 by expanding the offense of Animal Cruelty 1 by removing the restriction the offence occurred with sexual conduct or contact.

No Fiscal Impact to the Department of Children, Youth and Families (DCYF).

### 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.*

None

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

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

NONE

None

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

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1961 HB	<b>Title:</b> Animal cruelty/seriousness	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State 001-1	0	25,290	25,290	45,780	45,780
<b>Total \$</b>	0	25,290	25,290	45,780	45,780

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/03/2024
Agency Preparation: Matthew Friesen	Phone: (360) 725-8428	Date: 01/08/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 01/08/2024
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 01/08/2024

## 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.*

AN ACT Relating to animal cruelty in the first degree; and reenacting and amending RCW 9.94A.515.

Section 1 Amends RCW 9.94A.515 by expanding the offense of Animal Cruelty ranked at Seriousness Level 1 by removing the restriction the offense occurred with sexual conduct or contact.

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

### II. B - Cash receipts Impact

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

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.*

We assume this bill will have a fiscal impact to the Department of Corrections (DOC) less than \$50,000 per Fiscal Year (FY).

Currently, as an unranked felony, the offense is not subject to the standard sentencing ranges. Courts are required to impose determinate sentences which may include 0-365 days of confinement. Ranked at SL 3, the offense would be subject to a sentencing range of between 1-3 months in jail and 51-60 months in prison, depending on the individual's prior history. Therefore, this changes in this bill would likely impact both jail beds and prison beds.

In Fiscal Year 2023, there were 19 individuals sentenced to a standard range sentence unranked offense of Animal Cruelty 1, 3 of which would receive prison time. As an unranked offense, no offender score is required so the Caseload Forecast Council (CFC) is unable to estimate impacts of ranking the offense. However, for informational purposes, the following prison impacts are provided based on a review of the Judgment and Sentence forms (J&S):

2 would have a score of 4, with a standard range of 12.03-16 months; and

1 would have a score of 8, with a standard range of 43-57 months.

DOC anticipates this bill will impact an average of 3 ADP per FY ongoing. In this scenario, the fiscal impact to prisons would be as follows:

FY2025: 3 ADP x \$7,630 DVC = \$22,890

FY2026: 3 ADP x \$7,630 DVC = \$22,890

FY2027: 3 ADP x \$7,630 DVC = \$22,890

FY2028: 3 ADP x \$7,630 DVC = \$22,890

FY2029: 3 ADP x \$7,630 DVC = \$22,890

Therefore, the fiscal impact is indeterminate, assumed to be less than \$50,000 per FY.

### INFORMATION TECHNOLOGY IMPACTS

Customization of the Offender Management Network Information (OMNI) system is needed to meet the requirements of this legislation. Due to the complexity of completing the development, testing, and implementation of the statutory changes, contracted services are necessary in FY2024.

To implement this legislation, OMNI data tables need to be updated to RCW 9.94A.525 for technical corrections.

**Cost Calculation Estimate:**

IT Application Developer| \$120 per hour x 4 hours = \$480  
 IT Quality Assurance| \$120 per hour x 8 hours = \$960  
 IT Business Analyst| \$120 per hour x 8 hours = \$960  
 Total One-Time Costs IN FY2025 \$2,400

**ASSUMPTIONS**

- 1) The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.
- 2) We assume a Direct Variable Cost (DVC) of \$7,630 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services' direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with the Office of Financial Management, Senate, and House staff each legislative session.
- 3) We assume additional impacts will result when ADP caseload changes in either prison or community and resources will be necessary. The DOC will “true up” our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

**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	0	25,290	25,290	45,780	45,780
<b>Total \$</b>			0	25,290	25,290	45,780	45,780

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

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts		2,400	2,400		
E-Goods and Other Services		17,191	17,191	34,382	34,382
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		5,699	5,699	11,398	11,398
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	25,290	25,290	45,780	45,780

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

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

NONE

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

<b>Program</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>2023-25</b>	<b>2025-27</b>	<b>2027-29</b>
Administration & Support Services (100)		2,400	2,400		
Correctional Operations (200)		11,149	11,149	22,298	22,298
Healthcare Services (500)		11,741	11,741	23,482	23,482
<b>Total \$</b>		25,290	25,290	45,780	45,780

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

None.

**Part V: New Rule Making Required**

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

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 1961 HB

**Title:** Animal cruelty/seriousness

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

### Legislation Impacts:

- Cities: Indeterminate, but likely minimal decrease in expenditures as a result of decreased demand for jail beds
- Counties: Same as above, but for counties
- 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: Decrease in demand for jail beds as a result of proposed legislation

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

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

## Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 01/05/2024
Leg. Committee Contact: Michelle Rusk	Phone: 360-786-7153	Date: 01/03/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/05/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/05/2024

## **Part IV: Analysis**

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

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

The proposed legislation would amend RCW 9.94A.515, ranking all acts constituting animal cruelty in the first degree, as specified in RCW 16.52.205, at seriousness level three on the adult felony sentencing grid. Currently, only animal cruelty in the first degree through acts related to sexual conduct or contact is ranked at seriousness level three.

### **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 could result in an indeterminate, but likely minimal decrease in local government jail expenditures.

According to the Washington State Caseload Forecast Council (CFC), ranking animal cruelty in the first degree at seriousness level three, which is currently unranked except in the case of sexual conduct or contact, would likely impact demand for jail beds. As an unranked class C felony, animal cruelty in the first degree is currently punishable by a term of confinement of 0-365 days in jail, while as a class C felony ranked at seriousness level three, this offense would be punishable by between one to three months in jail and 51 to 60 months in prison, depending on a person's criminal history. Accordingly, some presumptive sentences for this offense could shift from jail to prison.

Since animal cruelty in the first degree is currently an unranked offense, however, CFC cannot predict the jail bed impacts that may result from this bill, so the magnitude of any local government expenditure decrease as a result of decreased demand for jail beds is indeterminate. According to CFC, in fiscal year 2023, 19 people were sentenced to a standard range sentence for the unranked offense of animal cruelty in the first degree. The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost of occupying a jail bed is \$145.

### **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:**

2024 Local Government Fiscal Note Program Criminal Justice Cost Model  
Washington State Caseload Forecast Council