

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes
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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
Office of State Auditor	0	0	1,294,733	0	0	1,294,733	0	0	0
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>1,294,733</b>	<b>0</b>	<b>0</b>	<b>1,294,733</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Public Defense	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of the Governor	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of State Auditor	7.6	0	0	1,294,733	7.6	0	0	1,294,733	.0	0	0	0
Office of Attorney General	.6	183,000	183,000	183,000	1.2	366,000	366,000	366,000	1.2	366,000	366,000	366,000
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Commerce	.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 Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	.0	3,000	3,000	3,000	.0	0	0	0	.0	0	0	0
Superintendent of Public Instruction	.0	2,000	2,000	2,000	.0	4,000	4,000	4,000	.0	4,000	4,000	4,000
<b>Total \$</b>	<b>8.2</b>	<b>188,000</b>	<b>188,000</b>	<b>1,482,733</b>	<b>8.8</b>	<b>370,000</b>	<b>370,000</b>	<b>1,664,733</b>	<b>1.2</b>	<b>370,000</b>	<b>370,000</b>	<b>370,000</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

### Estimated Capital Budget 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 Public Defense	.0	0	0	.0	0	0	.0	0	0
Office of the Governor	.0	0	0	.0	0	0	.0	0	0
Office of State Auditor	.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 Commerce	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.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
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

### Estimated Capital Budget Breakout

<b>Prepared by:</b> Val Terre, OFM	<b>Phone:</b> (360) 280-3973	<b>Date Published:</b> Final 1/22/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 01/12/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/12/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/12/2024

189,521.00

Form FN (Rev 1/00)

Request # 48-1

Bill # 2076 HB

## Part II: Narrative Explanation

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

This bill amends the RCW related to trafficking.

Section 1 amends RCW related to trafficking. Trafficking in the first degree is amended. Trafficking a victim under the age of 18 is added to the RCW along with several definitions. Court is directed to not waive the 10k fee unless the courts finds an inability to pay which in that case the fee can be reduced up to 2/3 the maximum. Section 2 directs superior courts to be subject to state audits to determine compliance with assessing fees associated with 9A.40.100 to be completed by end of 2025. Section 3 enacts the creation of a commercially sexually exploited children committee and the members to be included subject to available funds.

### II. B - Cash Receipts Impact

None.

### II. C - Expenditures

No fiscal impact to the Administrative Office of the Courts as there would be no changes to AOC or court processes.

## Part III: Expenditure Detail

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

NONE

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

NONE

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

NONE

### III. D - FTE Detail

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

189,521.00

Form FN (Rev 1/00)

None

189,521.00

Form FN (Rev 1/00)

3

Request # 48-1

Bill # 2076 HB

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 056-Office of Public Defense
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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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Elizabeth Mustin	Phone: 360-586-3164 1	Date: 01/12/2024
Agency Approval: Sophia Byrd McSherry	Phone: 360-586-3164	Date: 01/12/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/12/2024

## 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.*

OPD does not anticipate a fiscal impact from HB 2076.

Section 1 of HB 2076 makes legal changes to RCW 9A.40.100 that could affect costs of criminal public defense services at the trial level, but these are a county responsibility. Washington State OPD does not administer trial level criminal public defense.

Section 3 of HB 2076 establishes the commercially sexually exploited children statewide coordinating committee and directs that membership include the director of the Office of Public Defense or their designee. OPD would absorb the cost of participating in the committee.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

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

NONE

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

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



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 075-Office of the Governor
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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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Kathy Cody	Phone: (360) 480-7237	Date: 01/09/2024
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 01/09/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/10/2024

## 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 3 of this bill, which is subject to the availability of funds appropriated, establishes the "Commercially Sexually Exploited Children Statewide Coordinating Committee." Per section 3(c), the committee will consist of a representative of the Governor's Office appointed by the Governor. Section 3 expires on June 30, 2030.

The Governor's Office believes that both the appointment of this committee member and the committee members' participation in this committee will have a minimal, if any, fiscal impact.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

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

NONE

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

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 095-Office of State Auditor
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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
Municipal Revolving Account-Non-Appropriated 413-6		1,294,733	1,294,733	1,294,733	
<b>Total \$</b>		1,294,733	1,294,733	1,294,733	

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	15.2	7.6	7.6	0.0
<b>Account</b>					
Municipal Revolving Account-Non-Appropriated -6 413	0	1,294,733	1,294,733	1,294,733	0
<b>Total \$</b>	0	1,294,733	1,294,733	1,294,733	0

### 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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Charleen Patten	Phone: 564-999-0941	Date: 01/16/2024
Agency Approval: Janel Roper	Phone: 564-999-0820	Date: 01/16/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/17/2024

## 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 2 requires the State Auditor to conduct accountability and financial audits of each superior court, county, city, and town in the state. These audits would focus on how these agencies collect and use the mandatory fees assessed and determine if they are assessing the fees consistent with the requirements of RCW 9A.40.100. These audits would determine if the agencies are using the funds to reduce the commercial sale of sex including enforcement of commercial sex laws; using 50% of the revenues on prevention, including education programs for offenders. In addition, if fees are not being assessed or used as required, the audit will outline recommendations for corrective action. The state auditor needs to complete financial and accountability reports and publish no later than December 31, 2025.

### 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 SAO estimates the work outlined in the bill will take a total of 19,010 hours to complete. SAO assumes there will be 409 audits with audit hours ranging from 20 hours for the smallest entities to 100 hours for the largest. Total estimated hours also includes related billable travel hours. Travel hours are based on an analysis of current SAO travel trends. The cash receipts total uses the current Municipal Revolving Account audit billing rate of \$139 per hour and the current travel billing rate of \$104.25. Audits will be based on Fiscal Year 2024 data and billed to each applicable government audited during FY25 and FY 26.

### 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 State Auditor uses an activity-based cost allocation model and overhead is allocated based on actual direct expenses. To reflect this, in addition to the increased direct audit expenses related to the additional audit and management FTEs, we include an estimated cost to support the additional administrative and overhead expense. Good and Services and Travel costs are based on actual expenses for this level of effort.

All expenses associated with this work would be paid for through the Municipal Revolving Account using revenues generated from this work.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
413-6	Municipal Revolving Account	Non-Appropriated	0	1,294,733	1,294,733	1,294,733	0
<b>Total \$</b>			0	1,294,733	1,294,733	1,294,733	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		15.2	7.6	7.6	
A-Salaries and Wages		874,811	874,811	874,811	
B-Employee Benefits		290,756	290,756	290,756	
C-Professional Service Contracts					
E-Goods and Other Services		106,969	106,969	106,969	
G-Travel		22,197	22,197	22,197	
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	1,294,733	1,294,733	1,294,733	0

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Admn/Overhead	101,985		1.2	0.6	0.6	
Assistant State Auditor	111,458		11.4	5.7	5.7	
Audit Manager	134,576		2.6	1.3	1.3	
<b>Total FTEs</b>			15.2	7.6	7.6	0.0

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.2	0.6	1.2	1.2
<b>Account</b>					
General Fund-State 001-1	0	183,000	183,000	366,000	366,000
<b>Total \$</b>	0	183,000	183,000	366,000	366,000

### 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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 01/12/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/12/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/16/2024

## 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 - Amending RCW 9A.40.100. Modifying the elements of the crimes of trafficking in the first degree and trafficking in the second degree. Specifies, for victims that are minors; force, fraud, or coercion are not necessary elements and consent is not a defense. Defining “coercion”, “commercial sex act”, “kidnapping”, “maintain”, “sexual motivation”, and “sexually explicit act”. Specifies the \$10,000 fee assessed for these crimes shall not be reduced or waived absent a finding of inability to pay. Specifies what the revenue from fees imposed will be used for.

Section 2 - New section. Requiring the State Auditor’s Office (SAO) to conduct an accountability and financial audit of each superior court, county, city, and town in the state, with respect to the use of mandatory fees assessed pursuant to RCW 9A.40.100. Specifies the requirements of the audits; requiring the audits and reports to be completed by December 31, 2025. Adds an expiration clause to this section of January 31, 2026.

Section 3 - New section. Adding to RCW 7.68. Establishing the Commercially Sexually Exploited Children Statewide Coordinating Committee (CSEC) to make recommendations on statewide laws and practices relating to the suppression of the commercial sexual exploitation of children. Requires the Attorney General’s Office (AGO) to convene the committee with the assistance of the Department of Commerce (Commerce). Specifies how members of the committee will be appointed and that the committee members include, among several others, the Attorney General (AG) or AG’s designee, the Secretary of the Department of Children, Youth, and Families (DCYF), the Office of the Superintendent of Public Instruction (OSPI), and the Executive Director of the Criminal Justice Training Commission (CJTC). The duties of the committee are specified, requiring the committee to meet at least annually and to report its recommendations to the legislature. Adds an expiration clause to this section of June 30, 2030.

### 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.*

AGO AGENCY ASSUMPTIONS:

General Fund-State (GF-S) Account 001-1: Attorney General’s Office (AGO) Administrative Division (ADM) activities are funded with General Fund-State dollars. No cash receipt impact. There is no client agency to bill for legal services.

### II. C - Expenditures

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

AGO AGENCY ASSUMPTIONS:

This bill is assumed effective 90 days after the end of the 2024 legislative session.

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

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

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL) and 0.4 MA.



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

The Senior Policy Analyst (PA) will be responsible for facilitating appointments, organizing meetings, developing and publishing meeting agendas, performing research, facilitating meetings and subcommittee meetings, outreach with experts and other additional participants as needed, and drafting the annual report. AGO ADM activities are funded with General Fund-State dollars. There is no appropriate client agency to bill for legal services.

ADM: Total King County workload impact:  
FY 2025 and each FY thereafter: \$183,000 for 1.0 PA.

2. The AGO Children, Youth, and Families Division (CYF) reviewed this bill and determined it will not increase or decrease the division’s workload in representing the Department of Children, Youth, and Family (DCYF). DCYF will be required to participate in the committee to make recommendations about laws to prevent commercial sexual exploitation of minors. Therefore, no costs are included in this request.

3. The AGO Government Compliance & Enforcement Division (GCE) reviewed this bill and determined it will not increase or decrease the division’s workload in representing the State Auditor’s Office (SAO) or the Criminal Justice Training Commission (CJTC). Section 2 of this bill would require SAO to conduct, and complete by December 31, 2025 accountability and financial audits of each superior court, county, city, and town with respect to the collection and use of fees under RCW 9A.40.100 and as amended in Section 1 of the bill. GCE does not anticipate it would need to provide legal advice to SAO to conduct these limited in scope audits. Section 3 of this bill would establish a statewide coordinating committee relating to the commercial sexual exploitation of children and the Executive Director of CJTC is a named member of the committee in the bill. GCE does not anticipate it would need to provide legal advice to CJTC to carry out that role. Therefore, no costs are included in this request.

4. The AGO Education Division (EDU) reviewed this bill and determined it will not increase or decrease the division’s workload in representing the Office of the Superintendent of Public Instruction (OSPI) because the Superintendent of Public Instruction, or designee, is a single member of the commercially sexually exploited children statewide coordinating committee established in Section 3 of the bill. Therefore, no costs are included in this request.

5. The AGO Agriculture & Health Division (AHD) reviewed this bill and determined it will not increase or decrease the division’s workload representing the Department of Commerce (Commerce). Section 3 is requiring Commerce to provide agenda planning and administrative and clerical support. New legal services are nominal and costs are not included in this request.

6. The AGO Criminal Justice Division (CRJ) reviewed this bill and determined it will not increase or decrease the division’s workload. Section 1 amends language defining the crime of human trafficking. This amendment would have no fiscal impact for CRJ to prosecute a human trafficking case under this new language. Section 2 imposes obligations on SAO and would have no fiscal impact on CRJ. Section 3 re-creates the commercially sexually exploited children statewide coordinating committee (CSEC). This section requires the AGO to convene CSEC annually and to report to the legislature annually with findings and recommendations. CRJ would contribute a staff member or members to attend regular CSEC meetings. New legal services are nominal and costs are not included in this request.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	183,000	183,000	366,000	366,000
<b>Total \$</b>			0	183,000	183,000	366,000	366,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.2	0.6	1.2	1.2
A-Salaries and Wages		129,000	129,000	258,000	258,000
B-Employee Benefits		38,000	38,000	76,000	76,000
E-Goods and Other Services		16,000	16,000	32,000	32,000
<b>Total \$</b>	0	183,000	183,000	366,000	366,000

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Management Analyst 5	95,184		0.2	0.1	0.2	0.2
Policy Analyst - ADM	110,000		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			1.2	0.6	1.2	1.2

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Headquarters Administration (GFS) (POL)		183,000	183,000	366,000	366,000
<b>Total \$</b>		183,000	183,000	366,000	366,000

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/19/2024
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/19/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/19/2024

## 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 2076

## ADDRESSING CRIMES INVOLVING HUMAN TRAFFICKING OR SEXUAL EXPLOITATION

101 – Caseload Forecast Council

January 17, 2024

### SUMMARY

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

- Section 1 Amends RCW 9A.40.100 by expanding the definitions of the existing ranked offenses of Trafficking in the First Degree (Seriousness Level 14) and Trafficking in the Second Degree (Seriousness Level 12) on the Adult Felony Sentencing Grid.
- Section 2 Adds a new section requiring the State Auditor to conduct an accountability and financial audit of each superior court, county, city, and town in the state, with respect to the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100.
- Section 3 Adds a new section to chapter 7.68 RCW that establishes the Commercially Sexually Exploited Children Statewide Coordinating Committee, subject to appropriations. This section expires June 30, 2030.

### EXPENDITURES

#### **Assumptions.**

None.

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

None.

#### **Impact Summary**

- Expands the definition of two existing Class A felonies.

#### **Impacts on Prison and Jail beds**

The Caseload Forecast Council (CFC) has no information about how many more incidents of the expanded felony offenses may occur or the sentences that might be imposed. Therefore, the CFC cannot reliably predict bed impacts resulting from the bill. However, as a Class A felony offense ranked at Seriousness Level 14 on the adult felony sentencing grid, Trafficking in the First Degree is punishable by a standard range term of confinement of between 123-220 months and 298-397 months in prison, depending on the individual's criminal history. The Class A felony offense of Trafficking in the Second Degree is punishable by a standard range term of confinement of between 93-123 months and 240-318 months in prison. Therefore, any increased convictions for the offense based on the provisions of this bill may result in an increased need for prison beds. While the impacts of expanding the definitions of these offenses are unknown,

under the current definitions of the offenses the number of convictions in the last three years is provided for informational purposes:

	Trafficking 1	Trafficking 2
FY 23	1	4
FY 22	2	2
FY 21	0	6

**Impacts on DOC Supervision Population.**

The offenses of Trafficking in the First and Second Degree are defined as Violent offenses. As such, an individual assessed as high risk to reoffend in the community is required to be supervised by the Department of Corrections upon release. For individuals releasing from prison, one year of community custody is required.

Given the above, any additional convictions for the offenses based on the provisions of this bill by an individual assessed as high risk to reoffend may increase of the DOC’s Community Custody caseload.

**Impacts on local detention and Juvenile Rehabilitation beds**

The expanded felony offenses would be considered as Category A offenses on the Juvenile Sentencing Grid (Other Offense Equivalent to an Adult Class A Felony). The offenses would be punishable by a standard range term of between 103-129 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications) for juveniles adjudicated for the offense. Therefore, increased incidences of this offense under the provisions of the bill would likely only impact Juvenile Rehabilitation beds. There have been no juvenile adjudications for these offenses in the last three fiscal years.

In addition, there may also be an increased need for Juvenile Rehabilitation (JR) beds. Current statutes require individuals sentenced in adult court for an offense committed before the age of 18 to serve to their confinement at a JR facility until age 25, or until release if occurring prior to age 25. As less than 1% of all sentences in the adult system are committed by those less than age 18, it assumed any impacts to JR would be minimal.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 103-Department of Commerce
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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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Bret Skipworth	Phone: 360-725-3042	Date: 01/12/2024
Agency Approval: Gwen Stamey	Phone: (360) 790-1166	Date: 01/12/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/12/2024



## 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.*

Sec 3 creates the Commercially Sexually Exploited Children Statewide Coordinating Committee, convened by the Attorney General. The department of Commerce is tasked with assisting with agenda planning and administrative and clerical support for the Committee.

Legislation requires that the committee must meet no less than annually.

This analysis assumes one meeting per year, and that the AG's office is responsible for the final report on findings and recommendations.

The costs for attending, planning and providing administrative and clerical support for one meeting annually would require less than 24 hours of work total and can be absorbed within existing resources.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

Sec 3. (2) - The Department of Commerce (Commerce) is tasked with assisting with agenda planning and administrative and clerical support for the commercially sexually exploited children statewide coordinating committee. This would require the following staff work:

Commerce Office of Crime Victims Advocacy AA3 - 10 hours - \$564 per fiscal year

-Managing meeting logistics, outreach and stakeholder management, meeting participation and note taking, record keeping and maintenance Commerce OC

Commerce Specialist 3 - 14 hours - \$1,125 per fiscal year

-Support meeting planning specific to content, stakeholder engagement, meeting participation

Total estimated cost - \$1,689 per fiscal year

These are annual cost estimates. This analysis assumes one meeting a year, and that the AG's office is responsible for the final report on findings and recommendations. The estimated 10 hours of work for the AA3 and 14 hours for the CS3 can be absorbed within existing resources.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 01/09/2024
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 01/09/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/15/2024

## 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.*

There is no fiscal impact to the Criminal Justice Training Commission or the Washington Association of Sheriffs and Police Chiefs to be members of the commercially sexually exploited children statewide coordinating committee described in section 3.

### 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

<b>Bill Number:</b> 2076 HB	<b>Title:</b> Human trafficking crimes	<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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Saydee Wilson	Phone: 5098221418	Date: 01/18/2024
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 01/18/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/18/2024

## 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.*

HB 2076 addresses crimes involving human trafficking or sexual exploitation. It adds definitions to the current crimes of Trafficking 1st degree and 2nd degree. It also requires the State Auditor to conduct audits of each superior court, county, city and town with respect to the collection and use of mandatory fees assessed. Additionally, it establishes the Commercially Sexually Exploited Children Statewide Coordinating Committee convened by the Office of the Attorney General. The secretary of the Department of Children, Youth and Families or a designee is named as a member of the Committee.

### 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.*

No fiscal impact to Department of Children, Youth and Families. Work is minimal and can absorbed into current workload.

## 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> 2076 HB	<b>Title:</b> Human trafficking crimes	<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	3,000	3,000	0	0
<b>Total \$</b>	0	3,000	3,000	0	0

### 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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Ellen Hafer	Phone: (360) 725-8428	Date: 01/17/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 01/17/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/18/2024

## 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.*

House Bill 2076 relates to addressing crimes involving human trafficking or sexual exploitation.

Section 1 amends RCW 9A.40.100 by expanding the definitions of the existing ranked offenses of Trafficking in the First Degree (Seriousness Level 14) and Trafficking in the Second Degree (Seriousness Level 12) on the Adult Felony Sentencing Grid.

The effective date is assumed to be 90 days after adjournment of the 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.*

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

#### Impacts on Prison and Jail Beds:

The Caseload Forecast Council (CFC) has no information about how many more incidents of the expanded felony offenses may occur or the sentences that might be imposed. Therefore, the CFC cannot reliably predict bed impacts resulting from the bill. However, as a Class A felony offense ranked at Seriousness Level 14 on the adult felony sentencing grid, Trafficking in the First Degree is punishable by a standard range term of confinement of between 123-220 months and 298-397 months in prison, depending on the individual's criminal history. The Class A felony offense of Trafficking in the Second Degree is punishable by a standard range term of confinement of between 93-123 months and 240-318 months in prison. Therefore, any increased convictions for the offense based on the provisions of this bill may result in an increased need for prison beds. While the impacts of expanding the definitions of these offenses are unknown, under the current definitions of the offenses the number of convictions in the last three years is provided for informational purposes:

FY	Trafficking 1	Trafficking 2
FY 23	1	4
FY 22	2	2
FY 21	0	6

#### Impacts on DOC Supervision Population:

The offenses of Trafficking in the First and Second Degree are defined as Violent offenses. As such, an individual assessed as high risk to reoffend in the community is required to be supervised by DOC upon release. For individuals releasing from prison, one year of community custody is required.

Given the above, any additional convictions for the offenses based on the provisions of this bill by an individual assessed as high risk to reoffend may increase of the DOC's Community Custody caseload.

**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 FY 2025.

To implement this legislation, OMNI data tables need to be updated per RCW 9A.40.100 for technical corrections.

**Cost Calculation Estimate:**

IT Application Developer| \$185 per hour x 4 hours = \$740

IT Quality Assurance| \$185 per hour x 8 hours = \$1,480

IT Business Analyst| \$185 per hour x 2 hours = \$370

Total One-Time Costs in FY 2025: \$2,590

**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	3,000	3,000	0	0
<b>Total \$</b>			0	3,000	3,000	0	0

**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		3,000	3,000		
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	3,000	3,000	0	0

**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)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administration & Support Services (100)		3,000	3,000		
<b>Total \$</b>		3,000	3,000		

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

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> 2076 HB	<b>Title:</b> Human trafficking crimes	<b>Agency:</b> 350-Superintendent of Public Instruction
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
<b>Account</b>					
General Fund-State 001-1	0	2,000	2,000	4,000	4,000
<b>Total \$</b>	0	2,000	2,000	4,000	4,000

### 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: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 01/22/2024
Agency Approval: TJ Kelly	Phone: 360 725-6301	Date: 01/22/2024
OFM Review: Brian Fechter	Phone: (360) 688-4225	Date: 01/22/2024

## 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 (Amended)

##### Section 1(1):

- Language revised to inform when a person is guilty of trafficking in the first degree. Includes a person who recruits, entices, harbors, transports, isolates, solicits, provides, obtains, buys, purchases, maintains, or receives by any means another person.
- Strikes language regarding a person who transfers by any means another person.

##### Section 1(1)(a):

- Language revised expanding on when a person is guilty of trafficking in the first degree to include:
  - o A person who knows or acts in reckless disregard of the fact that force, fraud, or coercion will be used to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act; or
  - o A person knowingly, or in reckless disregard, causes a person under 18 years of age to engage in a sexually explicit act or commercial sex act, or benefits financially or by receiving anything of value from participation in a venture that has engaged in acts set for in (a)(i) or (ii) of this subsection; provided, that it is not a defense that such person did not know, or recklessly disregarded the fact, that the other person was under 18 years of age or believed the other person was older.
- Section 1(1)(a): Strikes reference to coercion as defined in RCW 9A.36.070.

##### Section 1(1)(b):

- Language revised informing that the acts or venture set forth in (a)(i) or (ii) of this subsection involve such person committing or attempting to commit kidnapping, involve a finding of sexual motivation, involve the illegal harvesting or sale of human organs, or result in a death.
- Strikes reference to sexual motivation as defined in RCW 9.94A.835.

##### Section 1(3):

- Language revised to inform when a person is guilty of trafficking in the second degree to include a person who recruits, entices, harbors, transports, isolates, solicits, provides, obtains, buys, purchases, maintains, or receives by any means another person.
- Strikes language regarding a person who transfers by any means another person.

##### Section 1(3):

- Language revised expanding on when a person is guilty of trafficking in the second degree to include:
  - o A person who knows or acts in reckless disregard of the fact that force, fraud, or coercion will be used to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act; or
  - o A person knowingly, or in reckless disregard, causes a person under 18 years of age to engage in a sexually explicit act or commercial sex act, or benefits financially or by receiving anything of value from participation in a venture that has engaged in acts set for in (a) or (b) of this subsection; provided, that it is not a defense that such person did not know, or recklessly disregarded the fact, that the other person was under 18 years of age or believed the other person was older.
- Strikes reference to coercion as defined in RCW 9A.36.070.

Section 1(4)(a): Strikes previous section 1(4)(a) indicating that in any prosecution under this chapter in which the offense or degree of the offense depends on the victim's age, it is not a defense that the perpetrator did not know the victim's age, or that the perpetrator believed the victim to be older, as the case may be.

Previous Section 1(4)(c): Strikes in its entirety language informing that the court shall not reduce, waive, or suspend payment of all or part of the fee assessed in this section unless it finds, on the record, that the offender does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

Previous Section 1(5): Strikes in its entirety language informing that if the victim of any offense identified in this section is a minor, force, fraud, or coercion are not necessary elements of an offense and consent to the sexually explicit act or commercial sex act that it does not constitute a defense.

Section 1(5):

- Previously section 1(4)(b).
- Language added informing that if the victim of any offense identified in this section is a minor, then force, fraud, or coercion are not necessary elements of an offense and consent to the sexually explicit act or commercial sex act does not constitute a defense.

Previous Section 1(6): Strikes in its entirety definitions for commercial sex act and sexually explicit act.

Section 1(6): Language added providing definitions specific for this section for coercion, commercial sex act, kidnapping, maintain, sexual motivation, and sexually explicit act.

Section 1(7):

- Language revised expanding on persons who will be assessed a \$10,000 fee if they are convicted, enter into a plea agreement to a reduced or different charge, is given a deferred sentence or a deferred prosecution, or enters into a statutory or nonstatutory diversion agreement as a result of an arrest for a violation of a trafficking crime.
- Language added informing that the court shall not reduce, waive, or suspend payment of all or part of the fee assessed in this section unless it finds, on the record, that the offender does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.
- Strikes the word “either”, revises “who has entered” to “enters”, revises “ten thousand dollars” to “10,000”.

Section 1(8)(a): Previously section 1(4)(d).

Section 1(8)(b):

- Previously section 1(4)(d)(i).
- Language revised indicating that at least 50 percent of the revenue from fees imposed under this section must be spent on prevention, including education programs for offenders, such as programs to educate and divert persons from soliciting commercial sexual services, and rehabilitative services, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.
- Revises “fifty” to “50”, strikes the words “john school”.

Section 1(8)(c): Previously section 1(4)(d)(ii).

Section 2 (New Section):

Section 2(1): Requires the state auditor to conduct an accountability and financial audit of each superior court, county, city, and town in the state, with respect to the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100.

Section 2(1)(a): Requires that the audits determine whether the superior courts are assessing fees consistent with the requirements of RCW 9A.40.100.

Section 2(1)(b): Requires that the audits determine whether the counties, cities, and towns are using the revenue from assessed fees to fund local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

Section 2(1)(c): Requires that the audits determine whether the counties, cities, and towns are using at least 50 percent of the revenue from assessed fees on prevention, including education programs for offenders, such as programs to educate and divert persons from soliciting commercial sexual services, and rehabilitative services, such as mental health and

substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

Section 2(1)(d): Requires that the audits make recommendations for corrective action if feeds are not being assess or used as required.

Section 2(2): Requires the state auditor to complete the accountability and financial audits and publish the reports with its findings no later than December 31, 2025.

Section 2(3): Informs that this section expires on January 31, 2026.

Section 3 (New Section):

Section 3(1): Subject to the availability of funds appropriated for this purpose, establishes the commercially sexually exploited children statewide coordinating committee to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

Section 3(2):

- Informs that the committee is convened by the office of the attorney general with the department of commerce assisting with agenda planning and administrative and clerical support.
- Lists the members that will make up the committee, to include the Office of Superintendent of Public Instruction (OSPI) or his or her designee.

Section 3(3): Outlines the duties of the committee.

Section 3(4): Requires the committee to meet no less than annually.

Section 3(5): Requires the committee to annually report its findings and recommendations to the appropriate committees of the legislature and to any other known statewide committees addressing trafficking or the commercial sex trade.

Section 3(6): Informs that this section expires on June 30, 2030.

## **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.*

No cash receipts impact anticipated.

## **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.*

Section 3(1) is subject to the availability of amounts appropriated for this purpose, establishes the commercially sexually exploited children statewide coordinating committee and lists the superintendent of public instruction or his or her designee as a required member. The purpose of the committee is to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

Should the legislature choose to provide funding, OSPI assumes that a .01 FTE of an Associate Director's time would be required to attend meetings (assumed to be annually), collaborate with external stakeholders and/or committee members, address the issue of children who are commercially sexually exploited, examine local and regional practices involved in



addressing sexually exploited children, and make recommendations on statewide laws and practices.

The cost for this staffing is estimated at \$2,000 each fiscal year, beginning in FY25.

**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	2,000	2,000	4,000	4,000
<b>Total \$</b>			0	2,000	2,000	4,000	4,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.0	0.0	0.0	0.0
A-Salaries and Wages		978	978	1,956	1,956
B-Employee Benefits		774	774	1,772	1,772
C-Professional Service Contracts					
E-Goods and Other Services		68	68	136	136
G-Travel		68	68	136	136
J-Capital Outlays		112	112		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	2,000	2,000	4,000	4,000

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Associate Director	97,800		0.0	0.0	0.0	0.0
<b>Total FTEs</b>			0.0	0.0	0.0	0.0

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

No capital budget impact anticipated.

## **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:** 2076 HB

**Title:** Human trafficking crimes

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

### Legislation Impacts:

Cities: Costs for law enforcement; costs for cities that are not currently on annual audit cycles

Counties: Costs for law enforcement, prosecutors, defense attorneys, and jails

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: Number of instances of crimes of human trafficking; time required for city staff to prepare and provide information for new audits

### 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: Alice Zillah	Phone: 360-725-5035	Date: 01/16/2024
Leg. Committee Contact: Lena Langer	Phone: 360-786-7192	Date: 01/08/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/16/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/16/2024

## **Part IV: Analysis**

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

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

Sec. 1 amends RCW 9A.40.100 to modify the definition of trafficking in the first degree.

Sec. 2 creates a new section. The State Auditor must conduct an accountability and financial audit of each superior court, county, city, and town in the state, with respect to the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100.

Sec. 3 adds a new section to RCW 7.68. Subject to the availability of funds appropriated for this purpose, the Commercially Sexually Exploited Children Statewide Coordinating Committee is established to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

The committee includes a representative of the Washington Association of Prosecuting Attorneys.

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

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

The legislation would result in indeterminate costs for cities and counties.

#### **AUDIT COSTS:**

The bill's requirements for the State Auditor's Office (SAO) to conduct an accountability and financial audit of each county and city with respect to the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100 would add indeterminate costs for local governments. According to the Washington Association of County Officials, the SAO already conducts an annual audit of counties. If the audit regarding collection and use of mandatory fees was conducted at the same time, there would be no additional costs for counties.

According to the SAO, some cities are not audited on an annual cycle, and thus there would be a new requirement to conduct an audit of those cities during either fiscal year 2025 or 2026. There was no information immediately available on the proportion of cities that are not on annual audit cycles.

The Local Government Fiscal Note Program assumes that these cities would see staff costs associated with preparing and providing information for the audit. These costs are indeterminate.

#### **LAW ENFORCEMENT, PROSECUTION AND DEFENSE COSTS:**

The average cost to investigate, prosecute and defend a comparable felony is \$35,269, according to the Local Government Fiscal Note (LGFN) program criminal justice cost model. Thus any new instances of the crime of human trafficking would result in costs for city and county law enforcement, county prosecutors, and court-appointed defense attorneys.

#### **JAIL COSTS:**

There is no information to predict how many more incidents of the expanded felony offense may occur or the sentences that might be imposed. The average cost for a jail bed is \$145 per day, according to the LGFN criminal justice cost model

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

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

The legislation would have no revenue impacts for local governments.

#### **SOURCES:**

Office of the State Auditor

