

Multiple Agency Fiscal Note Summary

Bill Number: 2079 HB	Title: Schools/threats
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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	No fiscal impact					
Loc School dist-SPI	No fiscal impact					
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
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	.0	5,000	5,000	5,000	.0	0	0	0	.0	0	0	0
Superintendent of Public Instruction	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	5,000	5,000	5,000	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI	No fiscal impact								
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
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
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

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

Estimated Capital Budget Breakout

Prepared by: Danya Clevenger, OFM	Phone: (360) 688-6413	Date Published: Final 1/24/2024
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Judicial Impact Fiscal Note

Bill Number: 2079 HB	Title: Schools/threats	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

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: 01/17/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 01/19/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/19/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/19/2024

190,811.00

Form FN (Rev 1/00)

Request # 108-1

Bill # 2079 HB

Part II: Narrative Explanation

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

This bill amends 28A.635.090 (Interference by force or violence—Penalty) and 100 (Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful—Penalty) violation from a gross misdemeanor to a class C felony. Convicted person under 090 is also not allowed to enter the school or attend extracurricular activity at the violation occurred for up to 12 months. If a violation/interference of 090 is done by a public-school student that student may be removed under 28A.600.015 (Expulsions and suspensions—Rules incorporating due process—Short-term and long-term suspensions—Emergency expulsions—Discretionary discipline) or if done during an extracurricular activity be excluded from participating or attending for up to 12 months.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact to the Administrative Office of the Courts.

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

190,811.00

Form FN (Rev 1/00)

None

190,811.00

Form FN (Rev 1/00)

3

Request # 108-1

Bill # 2079 HB

Individual State Agency Fiscal Note

Bill Number: 2079 HB	Title: Schools/threats	Agency: 101-Caseload Forecast Council
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/17/2024
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 2079

IMPROVING SCHOOL SAFETY BY EXTENDING AND INCREASING PENALTIES FOR INTERFERENCE FORCE OR VIOLENCE AT SCHOOLS AND ATHLETIC EVENTS

**101 – Caseload Forecast Council
January 17, 2024**

SUMMARY

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

- Section 1 States the legislative intent is to increase the penalty for those perpetrating violence against students and school staff to match the penalty for assault on school bus drivers.
- Section 2 Amends RCW 28A.635.090 (Interference by force or violence—Penalty) by amending a current gross misdemeanor to a Class C felony offense and expanding the definition of the offense by including an official, or volunteer acting as an official, for extracurricular athletic activities of elementary or secondary students.
- Section 3 Amends RCW 28A.635.100 (Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful—Penalty) by amending a current gross misdemeanor to a Class C felony offense and expanding the definition of the offense by including an official, or volunteer acting as an official, for extracurricular athletic activities of elementary or secondary students.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impact Summary.

This bill:

- Expands the definitions of two existing gross misdemeanor offenses and increases the classification to Class C felony offenses.

The Class C felony offenses established under the bill are not currently felonies under Washington State law. As such, the Caseload Forecast Council (CFC) has no information about the expected incidence or the sentences that might actually be imposed. Therefore, the CFC cannot reliably predict correctional bed impacts resulting from the bill.

Impact on prison and jail beds.

However, as unranked Class C felony offenses, punishment for a standard range term of confinement would be 0-12 months in jail. Therefore, any impact would be on jail beds only, except in the case of an aggravated exceptional sentence.

Impact on local detention and Juvenile Rehabilitation beds.

The Class C felony offenses would be considered Category C on the Juvenile Sentencing Grid (Other Offense Equivalent to an Adult Class C Felony). The offenses would be punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications) for juveniles adjudicated for the offenses. Therefore, incidences of these offenses would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

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.

Impacts on DOC Supervision Population.

None.

Individual State Agency Fiscal Note

Bill Number: 2079 HB	Title: Schools/threats	Agency: 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:

Non-zero but indeterminate cost 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: Lena Langer	Phone: 360-786-7192	Date: 01/17/2024
Agency Preparation: Jay Treat	Phone: 360-556-6313	Date: 01/19/2024
Agency Approval: Crystal Lester	Phone: 360-628-3960	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.

This bill amends RCW 28A.635.090 and 28A.635.100 by increasing the penalties for interference by or intimidation by threat of force or violence at schools and athletic activities, by public school students, school employee or contractors. The bill changes the offense to a class C felony.

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.

Fiscal impact is indeterminate.

With the change to a Class C felony, the bill may potentially result in an increase in Average Daily Population (ADP) and indeterminate costs to the Department of Children, Youth and Families (DCYF). DCYF does not have data regarding how many individuals will be impacted, therefore, the caseload forecast and per capita adjustments are unknown at this time.

DCYF assumes the impact will result when the ADP caseload changes in the JR residential facilities forecast. The impact would be reflected in the forecasted maintenance level budget step. DCYF will true up our fiscal impact in subsequent budget submittals if the legislation is enacted into law.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost 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)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 2079 HB	Title: Schools/threats	Agency: 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
Account					
General Fund-State 001-1	0	5,000	5,000	0	0
Total \$	0	5,000	5,000	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: 01/17/2024
Agency Preparation: Buffy Hatcher	Phone: (360) 725-8428	Date: 01/24/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 01/24/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/24/2024

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.

This act is in relation to improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools, as well as athletic activities. This amends RCW 28A.635.090 and 28A.635.100 by creating a new section and prescribing penalties.

Section 2 changes the language to include that it is unlawful to interfere by force or violence with any employee and contract of a public or private elementary school. It also amends RCW 28A.635.090 by updating the current gross misdemeanor offense to a Class C felony, punishable under RCW 9A.20. Upon conviction, a person other than the student must be excluded from entering the school and attending extracurricular athletic activities where the crime was committed, for a period of up to 12 months.

Section 3 updates RCW 28A.635.100 by amending the current offense of a gross misdemeanor, with a five hundred dollar fine and up to six months in jail, to a Class C felony offense punishable under RCW 9A.20. It also expands the definition of the offense to include any employee or contractor of a public or private elementary and secondary school.

The effective date is assumed to be 90 days after the 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).

This bill expands the definitions of two existing gross misdemeanor offenses and increases their classification to Class C felony offenses.

The Class C felony offenses established under the bill are not currently felonies under Washington State law. As such, the Caseload Forecast Council (CFC) has no information about the expected incidence or the sentences that might be imposed. Therefore, the CFC cannot reliably predict correctional bed impacts resulting from the bill.

However, as unranked Class C felony offenses, punishment for a standard range term of confinement would be 0-12 months in jail. Therefore, any impact would be on jail beds only, except in the case of an aggravated exceptional sentence.

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 FY2025.

To implement this legislation, OMNI data tables need to be updated to amend RCW 28A.635.090 and 28A.635.100 for technical corrections.

Cost Calculation Estimate for 2025 IT Expense:

IT Application Developer | \$185.00 per hour x 10 hours = \$1,850
 IT Business Analyst | \$185.00 per hour x 8 hours = \$1,480
 IT Quality Assurance | \$185.00 per hour x 8 hours = \$1,480
 Total One-Time Costs IN FY2025: \$5,000 (rounded)

This bill may also affect these Records, Sentencing, and Resentencing program within DOC, but at this time, the fiscal impact is uncertain. Therefore, if the DOC experiences a workload increase or other unanticipated costs, we will true-up costs in a future budget request.

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) For illustration purposes only, the average annual Community Supervision caseload model is \$6,101 per ADP (not including startup costs), regardless of the supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records, and Training, that are directly affected by supervision population changes. The estimate will vary based on the risk level of the supervised individuals, which requires different staffing levels. The population trend data used is based on the Risk Level Classification tool and provides a risk level of 42.8% high violent, 27.3% high non-violent, 21% moderate, 7.9% low, and 1.0% unclassified. (June – November 2017)

4) The DOC assumes that any increase in community supervision caseload will result in an increased need for violator beds. For illustration, the FY2023 average percentage of supervised individuals who served jail time and were billed by the local jurisdictions for violating their conditions of supervision was a rate of 2.0%. The current average daily cost for jail beds is \$114.43 per day, inclusive of all risk levels and healthcare costs. The rate is an average, and actual rates vary by local correctional facilities.

5) 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.

6) We assume a phase-in will be necessary to successfully achieve the reductions/additions needed based on this legislation.

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	5,000	5,000	0	0
Total \$			0	5,000	5,000	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		5,000	5,000		
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-					
Total \$	0	5,000	5,000	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)		5,000	5,000		
Total \$		5,000	5,000		

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

Bill Number: 2079 HB	Title: Schools/threats	Agency: 350-Superintendent of Public Instruction
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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: 01/17/2024
Agency Preparation: Cindy Jendryka-Wirkkala	Phone: 3607256292	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 – NEW

(1) Incidents of violence in schools raise concerns about school safety. The legislature recognizes that if violence is tolerated it tends to escalate. Legislature intends to provide targeted and appropriate sanctions for violence interfering with school activities before it can rise to a grievous level.

(2) Interscholastic activities are being undermined by participants and spectators who express their dissatisfaction through inappropriate behaviors and verbal abuse directed at the officials, judges, referees, and volunteers who work at the events. The legislature intends to provide additional support and protection for these officials.

(3) The legislature intends to increase the penalty for violence against students and staff to match the penalty for assault of school bus drivers.

Section 2 - Amends RCW 28A.635.090 and 2003 c 53 s 169 as follows:

(1) Language is amended to include a revised list of staff to include contractors, students, and officials or volunteers working at extracurricular athletic activities. Suspension and expulsion language is removed.

(2) This section provides guidance on sanctions for a public school student who interferes as described subsection (1) of this section. Sanctions include emergency removal of the student, subject to RCW 28A 600.015. If the interference described in subsection (1) of this section occurs during an extracurricular athletic activity, the student may be excluded from participating in or attending that activity for up to 12 months.

(3) This section amends language to increase the sanction from a gross misdemeanor to a class C felony punishable under chapter 9A.20 RCW. If convicted, the person, other than a student, will be excluded from entering the school or attending extracurricular athletic activities where the crime was committed for up to 12 months.

(4) In this section, “public school” has the same meaning as in RCW 28A.150.010.

Section 3 – Amends RCW 28A.635.100 and 2003 c 53 s 170 as follows:

(1) Language is amended to include a revised list of staff to include contractors, students, and officials or volunteers working at extracurricular athletic activities.

(2) This section amends language to increase the sanction from a gross misdemeanor to a class C felony punishable under chapter 9A.20 RCW.

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.

There is no impact to cash receipts.

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 cost impact projected. OSPI does not anticipate any additional work as a result of the implementation of this bill.

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

There is no capital budget impact.

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: 2079 HB

Title: Schools/threats

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

Legislation Impacts:

Cities: Costs for law enforcement

Counties: Costs for law enforcement, prosecutors, defense attorneys, and county juvenile detention facilities

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 violations of expanded school interference offenses.

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: 01/23/2024
Leg. Committee Contact: Lena Langer	Phone: 360-786-7192	Date: 01/17/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/23/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/24/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

Sections 2 and 3 amend RCW 28A.635.090 and RCW 28A.635.100, respectively. It is unlawful for any person to interfere by force or violence with an employee or contractor of a public or private elementary or secondary school, an elementary or secondary student, or an official, or volunteer acting as an official, for extracurricular athletic activities of elementary or secondary students, while that person is in the peaceful discharge or conduct of his or her duties or studies.

If a public school student interferes as described in subsection (1) of this section, the interference is grounds for the student's emergency removal, subject to RCW 28A.600.015. If a public school student interferes as described in subsection (1) of this section during extracurricular athletic activities, the student may be excluded from participating in or attending that activity for up to 12 months.

A person violating this section is guilty of a class C felony. Upon conviction, a person, other than a student, must be excluded from entering the school where the crime was committed or from attending the extracurricular athletic activities in which the crime was committed, for a period of up to 12 months.

B. SUMMARY OF EXPENDITURE IMPACTS

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

The legislation would have indeterminate expenditure impacts for law enforcement, prosecutors, court-appointed defense attorneys, and county jails, due to the expansion of two misdemeanor charges to felony status.

According to the Association of Washington Cities Salary and Benefit Survey, the average weighted hourly wage, including benefits, for a county sheriff's deputy is \$72 an hour, and for a police officer, \$71 an hour. The average hourly cost for a prosecuting attorney, including benefits, is approximately \$134 an hour.

The average cost to investigate, prosecute, and defend a comparable felony charge is \$6,839, according to the Local Government Fiscal Note Program criminal justice costs model.

The Caseload Forecast Council (CFC) has no information about the expected incidence or the sentences that might be imposed. However, as unranked Class C felony offenses, punishment for a standard range term of confinement would be 0-12 months in jail.

The Class C felony offenses would be considered Category C on the Juvenile Sentencing Grid (Other Offense Equivalent to an Adult Class C Felony). The offenses would be punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications) for juveniles adjudicated for the offenses. Therefore, incidences of these offenses would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

The average weighted costs for a city or county jail bed is \$145/night.

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 government.

SOURCES:

Local Government Fiscal Note Program criminal justice cost model
Caseload Forecast Council

Individual State Agency Fiscal Note

Bill Number: 2079 HB	Title: Schools/threats	Agency: SDF-School District Fiscal Note - SPI
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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: 01/17/2024
Agency Preparation: Cindy Jendryka-Wirkkala	Phone: 3607256292	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.

Summary of HB 2079

Section 1 – NEW

(1) Incidents of violence in schools raise concerns about school safety. The legislature recognizes that if violence is tolerated it tends to escalate. Legislature intends to provide targeted and appropriate sanctions for violence interfering with school activities before it can rise to a grievous level.

(2) Interscholastic activities are being undermined by participants and spectators who express their dissatisfaction through inappropriate behaviors and verbal abuse directed at the officials, judges, referees, and volunteers who work at the events. The legislature intends to provide additional support and protection for these officials.

(3) The legislature intends to increase the penalty for violence against students and staff to match the penalty for assault of school bus drivers.

Section 2 - Amends RCW 28A.635.090 and 2003 c 53 s 169 as follows:

(1) Language is amended to include a revised list of staff to include contractors, students, and officials or volunteers working at extracurricular athletic activities. Suspension and expulsion language is removed.

(2) This section provides guidance on sanctions for a public school student who interferes as described subsection (1) of this section. Sanctions include emergency removal of the student, subject to RCW 28A 600.015. If the interference described in subsection (1) of this section occurs during an extracurricular athletic activity, the student may be excluded from participating in or attending that activity for up to 12 months.

(3) This section amends language to increase the sanction from a gross misdemeanor to a class C felony punishable under chapter 9A.20 RCW. If convicted, the person, other than a student, will be excluded from entering the school or attending extracurricular athletic activities where the crime was committed for up to 12 months.

(4) In this section, “public school” has the same meaning as in RCW 28A.150.010.

Section 3 – Amends RCW 28A.635.100 and 2003 c 53 s 170 as follows:

(1) Language is amended to include a revised list of staff to include contractors, students, and officials or volunteers working at extracurricular athletic activities.

(2) This section amends language to increase the sanction from a gross misdemeanor to a class C felony punishable under chapter 9A.20 RCW.

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.

There is no impact to cash receipts.

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 cost impact projected. School Districts do not anticipate any additional work as a result of the implementation of this bill.

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

There is no capital budget impact.

Part V: New Rule Making Required

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