

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2303 HB	<b>Title:</b> Community custody conditions
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	.0	4,000	4,000	4,000	.0	0	0	0	.0	0	0	0
Department of Corrections	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	<b>0.0</b>	<b>4,000</b>	<b>4,000</b>	<b>4,000</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>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. Total									
Local Gov. Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Loc School dist-SPI									
Local Gov. Other									

## 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
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Final 1/26/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 2303 HB	<b>Title:</b> Community custody conditions	<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:**

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

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/11/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 01/18/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/18/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/19/2024

190,634.00

Form FN (Rev 1/00)

Request # 79-1

Bill # 2303 HB

## Part II: Narrative Explanation

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

Legislation adds additional considerations Department of Corrections shall consider for individuals to be placed into community custody. Defendant can motion and the court may amend if it determines that no substantial risk to community safety would occur with the amended substantive condition. This includes those who are under community custody for sex offenders under 9.94a.709.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

Indeterminate, but likely to increase the number of case filings. The Administrative Office of the Courts (AOC) has no data available to estimate the number of resentencing motions that would be filed as a result of this bill. Nor can AOC provide exact workload metrics as the impact is unknown.

## Part III: Expenditure Detail

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

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

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

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

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

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

### III. D - FTE Detail

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

190,634.00

Form FN (Rev 1/00)

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Request # 79-1

Bill # 2303 HB

NONE

None

190,634.00

Form FN (Rev 1/00)

3

Request # 79-1

Bill # 2303 HB

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2303 HB	<b>Title:</b> Community custody conditions	<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	4,000	0	4,000	0	0
<b>Total \$</b>	4,000	0	4,000	0	0

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/11/2024
Agency Preparation: John Ching	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: 01/26/2024

## 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 the criteria by which the Department of Corrections (DOC) or the indeterminate Sentence Review Board (ISRB) may modify or impose additional conditions of community custody on an individual, by adding offender's crime of conviction and risk of reoffending. The bill also adds new language stating that regardless of the offender's date of sentencing, the additional conditions of community custody need not be crime-related if the conditions relate to either the risk of reoffending or risk to community safety.

- Section 2(2) is amended and creates the ability for individuals to petition the court to remove conditions imposed by DOC or ISRB at any time prior to the end of the supervision term, exempt from statute setting time limits for collateral attacks.
- Section 4(2) is amended and states the ISRB may impose conditions in addition to those recommended by DOC following notice to the individual. The additional conditions need not be crime-related if the conditions relate to either the risk of reoffending or risk to community safety.
- Section 8 is a new section that states this act applies to all individuals sentenced to a term of community custody before, on, or after the effective date of this section.
- Section 10 is a new section that states this act is necessary for the immediate preservation of the public peace, health, or safety or support of the state government and takes effect immediately.

This bill amends RCW 9.94A.704, 9.94A.709, 9.94A.730, 9.95.420, 9.95.435, and 10.73.100; reenacts and amends RCW 10.95.030; creates a new section; and declares an emergency.

### 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.*

The fiscal impact of this bill is indeterminate, assumed to be more than \$50,000 per Fiscal Year (FY).

Customization of the Offender Management Network Information (OMNI) system is needed to meet the requirements of this legislation. To implement this legislation, OMNI data tables need to be updated to RCW 9.94A.525 for technical corrections.

IT Cost Calculation Estimate:

IT Application Developer| \$185 per hour x 10 hours = \$2,000 (rounded)

IT Business Analyst| \$185 per hour x 8 hours = \$1,000 (rounded)

IT Quality Assurance| \$185 per hour x 8 hours = \$1,000 (rounded)

Total One-Time IT Costs in FY2024 \$4,000

There may also be an increase in community corrections workload. Typically, when an individual petitions the court to amend a condition, the supervising community corrections officer (CCO) may write a report explaining the risk factors and

provide a recommendation. Some courts require the CCO to attend the hearing. As this applies to all cases, even past ones, there could be workload to go through the cases and manually add the standard conditions if they fall under the definition of "substantive". If substantive includes standard conditions, it is likely each standard condition on the condition form would need to be manually entered into OMNI.

The DOC has no information concerning how many court petitions may occur, nor how many standard conditions will need to be entered into OMNI. As such, DOC cannot reliably predict workload impacts resulting from the bill.

We assume additional fiscal impacts will result when workload changes in community corrections and resources will be necessary. The DOC will "true up" our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	4,000	0	4,000	0	0
<b>Total \$</b>			4,000	0	4,000	0	0

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

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages	4,000		4,000		
B-Employee Benefits					
C-Professional Service Contracts					
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>	4,000	0	4,000	0	0

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

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

NONE

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

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.*