

Multiple Agency Fiscal Note Summary

Bill Number: 6146 S SB	Title: Tribal warrants
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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						
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 Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Lottery	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Gambling Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Insurance Commissioner	.0	0	0	0	.0	0	0	0	.0	0	0	0
Liquor and Cannabis Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Utilities and Transportation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	0	0	34,883	.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 Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	.5	108,000	108,000	108,000	1.0	194,000	194,000	194,000	1.0	194,000	194,000	194,000
Department of Corrections	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
University of Washington	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Eastern Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Central Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
The Evergreen State College	.0	0	0	0	.0	0	0	0	.0	0	0	0
Western Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
State Parks and Recreation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.5	108,000	108,000	142,883	1.0	194,000	194,000	194,000	1.0	194,000	194,000	194,000

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			366,106						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			366,106						

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 Attorney General	.0	0	0	.0	0	0	.0	0	0
State Lottery	.0	0	0	.0	0	0	.0	0	0
Washington State Gambling Commission	.0	0	0	.0	0	0	.0	0	0
Office of Insurance Commissioner	.0	0	0	.0	0	0	.0	0	0
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Utilities and Transportation Commission	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0
Central Washington University	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Western Washington University	.0	0	0	.0	0	0	.0	0	0
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.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									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Final 2/ 2/2024
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Judicial Impact Fiscal Note

Bill Number: 6146 S SB	Title: Tribal warrants	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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/29/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/29/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/31/2024

192,460.00

Request # 155-1

Part II: Narrative Explanation

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

The substitute would have the same no or minimal impact to the Administrative Office of the Courts or the courts.

The bill would add a new chapter to Title 10 RCW relating to the extradition of tribal fugitives from the state to tribes.

II. B - Cash Receipts Impact

None

II. C - Expenditures

This bill would have no fiscal impact on the Administrative Office of the Courts (AOC) or the courts.

Court impact is indeterminate, but likely minimal. There is no measurable data for identifying current tribal warrants.

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

None

Individual State Agency Fiscal Note

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 100-Office of Attorney General
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Cassandra Jones	Phone: 360-709-6028	Date: 01/31/2024
Agency Approval: Dianna Wilks	Phone: 360-709-6463	Date: 01/31/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/31/2024

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 section. Legislative intent.

Section 2 - New section. Definitions.

Section 3 - New section. The Attorney General's Office (AGO) must verify the certification of the tribe, that the tribe meets the requirements of the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302.

Section 4 - New section. Place of detention shall notify tribal law enforcement when it is holding a tribal fugitive.

Section 5 - New section. Noncertified tribe that issued arrest warrant may demand extradition. Tribe must provide documentation establishing fugitive status.

Section 6 - New section. Extradition stayed if and while tribal fugitive is on trial in state courts.

Section 7 - New section. AGO or Prosecuting Attorney shall submit documents and effectuate surrender the next judicial day. Establishes extradition procedure.

Section 8 - New section. Establishes rules for state place of detention to turn over fugitive without going through process.

Section 9 - New section. Tribe responsible for transport of fugitive.

Section 10 - New section. Washington State Peace Officer (WSPO) may arrest tribal fugitives. Establishes court process for notifying fugitive of warrant and hearing and waiver provisions.

Section 11 - New section. Tribal arrest warrant shall be accorded full faith and credit. A WSPO who arrests a person subject to tribal arrest warrant shall contact the tribal law enforcement that issued the warrant. Place of detention will respect and enforce tribal notice of detainer. Writ of habeas corpus shall be afforded any person detained under this provision.

Section 12 - New section. Act does not affect other state-tribal agreements.

Section 13 - New section. Act known as "Tribal Warrants Act."

Section 14 - New section. Act is new chapter in Title 10 RCW.

1. The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing Washington State Patrol (WSP). This bill authorizes WSPOs, including commissioned WSP personnel, to make arrests on warrants issued by tribal courts, which would be a change in Washington State law. WSP may require some legal advice on this subject, but it is anticipated that such advice will be nominal and costs are not included in this request.

2. The AGO Corrections Division (COR) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Corrections (DOC). The bill requires the AGO or county prosecutor to file motions for orders of surrender with respect to the extradition of tribal fugitives sought by certain Washington State tribes, and who are in state custody at a DOC prison. COR assumes County Prosecutors would prefer this work would be handled by the AGO. COR estimates that the motion for order of surrender proceedings would occur

infrequently (approximately five per year), and would be routine. New legal services are nominal and costs are not included in this request.

3. The AGO Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing WSP or Criminal Justice Training Commission (CJTC). This bill regards cross jurisdictional cooperation between state and local entities and tribal entities to honor tribal warrants in non-tribal jurisdiction areas. GCE's advice and litigation support to WSP and CJTC are limited to specific areas and programs which are not impacted by this bill. Therefore, no costs are included in this request.

4. The AGO Agriculture & Health Division (AHD) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Department of Commerce (Commerce). Commerce would not be given any new authorities or responsibilities under this bill. Therefore, no costs are included in this request.

5. The AGO Public Lands Conservation Division (PLC) determined it will not significantly increase or decrease the division's workload in representing the Department of Fish and Wildlife (DFW), Department of Natural Resources (DNR) and Washington State Parks (Parks). New legal services are nominal and costs are not included in this request.

6. The AGO Licensing & Administrative Law Division (LAL) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Liquor and Cannabis Board (LCB). Therefore, no costs are included in this request.

7. LAL has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Washington State Lottery (LOT). Therefore, no costs are included in this request.

8. The AGO Administrative Division (ADM) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

9. The AGO Education Division (EDU) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

10. The AGO Washington State University (AGO-WSU) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Washington State University (WSU). Therefore, no costs are included in this request.

11. The AGO University of Washington (UOW) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the University of Washington (UW). Therefore, no costs are included in this request.

12. The AGO Regional Services Division (RSD) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 116-State Lottery
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: John Iyall	Phone: 360-810-2870	Date: 01/29/2024
Agency Approval: Josh Johnston	Phone: 360-810-2878	Date: 01/29/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/29/2024

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. Pursuant to RCW 67.70.330, Washington’s lottery is a limited authority law enforcement agency as defined in RCW 10.93.020(5). However, the definition of “peace officer” in the bill applies only to general authority peace officers as defined in RCW 10.93.020(4) and is inapplicable to Lottery employees. In addition, Lottery employees are not authorized by the agency to arrest or detain suspects.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 117-Washington State Gambling 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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Kriscinda Hansen	Phone: 360-486-3489	Date: 02/01/2024
Agency Approval: Kriscinda Hansen	Phone: 360-486-3489	Date: 02/01/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/01/2024

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 change from the Gambling Commission's previous version fiscal note for this bill.

Section 2(3) of the bill limits the definition of Peace Officer to the definition of RCW 10.93.020(4), which is general authority law enforcement.

Section 9 of the bill allows peace officers to arrest a person subject to a tribal arrest warrant from a noncertified tribe.

The Gambling Commission is a limited authority law enforcement agency, so there is no 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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 160-Office of Insurance Commissioner
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Michael Walker	Phone: 360-725-7036	Date: 01/29/2024
Agency Approval: Bryon Welch	Phone: 360-725-7037	Date: 01/29/2024
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 01/30/2024

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(3) defines “Peace officer” to have the same meaning as in RCW 10.93.020(4), which means "General authority Washington peace officer".

Sections 4 through 14 create a process for state law enforcement officers and places of detention to deliver fugitives to requesting Indian tribes and for state law enforcement officers to enforce tribal arrest warrants.

The Office of the Insurance Commissioner (OIC) is a limited authority law enforcement agency that staffs limited authority peace officers who do not meet the definition of a “General authority Washington peace officer” in RCW 10.93.020(4). Therefore, no 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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 195-Liquor and Cannabis Board
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Colin O Neill	Phone: (360) 664-4552	Date: 01/26/2024
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 01/26/2024
OFM Review: Val Terre	Phone: (360) 280-3973	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.

Section 1: The legislature declares the purpose of this act is to expand cross jurisdictional cooperation so that fugitives from tribal courts cannot evade justice by remaining off reservation in Washington's counties and cities, while ensuring that defendants receive the fullest due process protections.

CHANGES MADE BY THE SUBSTITUTE:

This version makes minor modifications to the requirements tribes must follow. In addition, a peace officer who arrests a person on a tribal warrant, if no other reason for detention exists, shall contact the tribal law enforcement agency as soon as practical, to establish the warrant’s validity.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 215-Utilities and Transportation 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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Kim Anderson	Phone: 360-664-1153	Date: 01/26/2024
Agency Approval: Kim Anderson	Phone: 360-664-1153	Date: 01/26/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/29/2024

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 provides a process for detention centers to surrender suspects to tribal authorities and for state law enforcement officers to enforce tribal warrants. It does not concern any issues within the UTC’s jurisdiction.

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.

This bill is outside of the UTC's purview and will have no fiscal 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.

None.

Individual State Agency Fiscal Note

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 225-Washington State Patrol
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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					
State Patrol Highway Account-State 081-1	0	34,883	34,883	0	0
Total \$	0	34,883	34,883	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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Allison Plant	Phone: 360-596-4080	Date: 01/29/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/29/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/29/2024

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.

The substitute version requires the Office of Attorney General, rather than the tribal state court consortium, to verify tribes meet the tribal law and order act requirements. It also requires that a Washington state peace officer who arrests a person pursuant to an arrest warrant of a certified tribe, if no other grounds for detention exist under state law, shall, as soon as practical after detaining the person, and in accordance with standard practices, contact the tribal law enforcement agency that issued the warrant to establish the warrant's validity.

These changes do not change our assumptions stated in the original version.

The proposed legislation has a fiscal impact to the Washington State Patrol (WSP).

This legislation would give non-tribal law enforcement the ability to act upon a tribal arrest warrant issued by a certified or noncertified tribe in Washington. It would allow issued tribal warrants to be recognized as valid warrants off the reservation

New Section 1 would create a uniform process for the state to return individuals who violate tribal law and seek to avoid tribal justice systems by leaving tribal jurisdiction. It also intends to set procedures by which peace officers and correctional staff of the state must recognize and effectuate tribal arrest warrants. It states the purpose is to expand cross jurisdictional cooperation so that fugitives from tribal courts cannot evade justice by remaining off reservation in Washington's counties and cities, while ensuring that defendants receive the fullest due process protections.

New Section 10 (1) states a peace officer may arrest a person subject to a tribal arrest warrant from a noncertified tribe when the warrant meets the criteria.

New Section 11 (1) states any arrest warrant issued by the court of a certified tribe shall be accorded full faith and credit by the courts of the state of Washington and enforced by the court and peace officers of the state as if it were the arrest warrant of the state. It also requires that a Washington state peace officer who arrests a person pursuant to an arrest warrant of a certified tribe, if no other grounds for detention exist under state law, shall, as soon as practical after detaining the person, and in accordance with standard practices, contact the tribal law enforcement agency that issued the warrant to establish the warrant's validity.

New Section 12 states the act does not diminish the authority of the state or local jurisdictions to enter into government-to-government agreements with Indian tribes concerning the movement of persons within their jurisdiction. It also does not diminish the validity or enforceability of any such agreements. It does not expand or diminish the authority of the state or local jurisdictions to arrest individuals over whom they have jurisdiction within Indian reservations.

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 proposed legislation would require training to be developed and given to our commissioned officers and cadets, as well

as policy updates regarding tribal warrants. We estimate that it would take 40 hours to research, develop, and review new training and policies. We also estimate that it would take five academy staff about 22 total hours to deliver the training to all commissioned officers and cadets. Each person receiving the training would need an estimated 15 minutes to complete it. We also expect it would take 2 hours of administrative time to verify compliance with training requirements and 2 hours of commander time to communicate compliance requirements and provide oversight of completion. We are authorized 1,125 employees who would need the training, bringing the total amount of hours needed to receive the training to about 281 hours. The total estimated cost to research, develop, review, give, and receive the training required from this proposed legislation is \$34,883

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 33.41 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
081-1	State Patrol Highway Account	State	0	34,883	34,883	0	0
Total \$			0	34,883	34,883	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		19,506	19,506		
B-Employee Benefits		6,641	6,641		
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-Indirect Costs		8,736	8,736		
Total \$	0	34,883	34,883	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)

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: 6146 S SB	Title: Tribal warrants	Agency: 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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 01/29/2024
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 01/29/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/29/2024

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 has no fiscal impact on the Criminal Justice Training Commission.

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 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.

There is 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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 300-Department of Social and Health Services
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Douglas Hoffer	Phone: 360-902-8187	Date: 01/29/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 01/29/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/29/2024

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 Department of Social and Health Services (DSHS). This bill creates a process for state law enforcement officers and places of detention to deliver fugitives to requesting tribes and creates a process for state law enforcement officers to enforce tribal arrest warrants. DSHS does not have peace officers or arrest capabilities and therefore the provisions of this bill do not apply.

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

Bill Number: 6146 S SB	Title: Tribal warrants	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
FTE Staff Years	0.0	1.0	0.5	1.0	1.0
Account					
General Fund-State 001-1	0	108,000	108,000	194,000	194,000
Total \$	0	108,000	108,000	194,000	194,000

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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Jaysanna Wang	Phone: (360) 725-8428	Date: 01/31/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 01/31/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/31/2024

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.

The Substitute Senate Bill (SSB) 6146 is an ACT that creates a new chapter to Title 10 RCW and creates a process for places of detention to deliver fugitives to requesting Tribes.

The following impacts from the Senate Bill (SB) 6146 remain unchanged in the substitute version, except the updated sections due to the newly Section 3 added requiring the Office of the Attorney General (AGO) to verify the certification of the tribe.

Section 1 describes the intent of this bill.

Section 2 provides definitions of noncertified tribe, certified tribe, peace officer, place of detention, tribal court judge, tribal fugitive, and tribal police officer that apply throughout the bill.

Section 2(1) defines "Noncertified tribe" as a federally recognized tribe withing Washington that has not received approval to exercise jurisdiction under the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302 or has not been certified by the tribal state court consortium as meeting the requirements of the tribal law and order act.

Section 2(2) defines "Certified tribe" as a federally recognized tribe withing Washington that has received approval to exercise jurisdiction under the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302 or been certified by the tribal state court consortium as meeting the requirements of the tribal law and order act.

Section 2(3) defines "Peace officer" has the same meaning as in RCW 10.93.020(4).

Section 2(4) defines "Place of detention" as a jail as defined in RCW 70.48.020, a correctional facility as defined in RCW 72.09.015, and any similar facility contracted by a city or county.

Section 2(5) defines "Tribal court judge" includes every judicial officer authorized alone or with others, to hold or preside over the criminal court of a certified tribe or noncertified tribe.

Section 2(6) defines "Tribal fugitive" or "fugitive" means any person who is subject to tribal court criminal jurisdiction, committed an alleged crime under the tribal code, and thereafter fled tribal jurisdiction, including by escaping or evading confinement, breaking the terms of their probation, bail, or parole, or absenting themselves from the jurisdiction of the tribal court.

Section 2(7) defines "Tribal police officer" has the same meaning as in RCW 10.92.010.

Section 4 requires places of detention, such as the Department of Corrections (DOC) to provide notice to the tribal law enforcement of the noncertified tribe as soon as practicable upon learning a tribal fugitive is detained. The notice shall provide the reason for detention and the anticipated date of release, if known.

Section 5 states that a noncertified tribe may demand the extradition of the tribal fugitive from a place of detention such as DOC by submitting a written demand that alleges the person sought is a tribal fugitive and the tribal court has jurisdiction. The demand must also be accompanied by either a copy of the charging document, a copy of the arrest warrant and supporting affidavit, or a copy of the judgement and sentence.

Section 6 states that extradition of a tribal court request shall be put on hold until the tribal fugitive's release from a place of detention, such as DOC, unless otherwise agreed upon, if a criminal prosecution has made against a tribal fugitive under the

laws of this state or any political subdivision and is still pending.

Section 7(6) states that if the judge determines the requirements have been met, and the underlying documentation is in order, the judge must issue an order for surrender to the tribe. If the tribe does not take custody of the person on the date the person is scheduled to be released, or within 48 hours, whichever is later, the person may be released from custody with bail conditioned on the person's appearance before the court at a time specified for the person to surrender to the tribe.

Section 8 is a new section that states that a place of detention, such as DOC, must deliver or make available a tribal fugitive within the place of detention without a judicial order of surrender only if:

- Section 8(1): the person is alleged to have broken the terms of the person's probation, parole, bail, or any other release of tribe; and
- Section 8(2): the place of detention has received from the tribe an authenticated copy of prior waiver of extradition signed by the person as a term of their probation, parole, bail, or any other release of the tribe.

Section 11(2) states that a place of detention, such as DOC, shall allow a certified tribe to place a detainer on an inmate based on a tribal warrant and defines the term detainer.

Sections 13 and 14 state that this chapter will be added to Title 10 RCW and may be known and cited as the “tribal warrants act”.

Effective date is assumed 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 is indeterminate, assumed to be greater than \$50,000 per Fiscal Year (FY).

The updated bill language from SSB 6146 to SB 6146 does not change the previous fiscal impact assumptions to DOC.

This bill requires DOC to provide notice of detention and potentially surrendering tribal fugitives, given criteria are met that are outlined in this bill. This will require staff time for notice of detention, service of notice of warrant/detainer, and staff time to coordinate with tribes for the transfer of custody.

Records Impacts:

The DOC requests 1.0 FTE Administrative Assistant 3 to develop and manage a new process for records staff to follow, monitor, and track tribal warrants. This position would be required to collaborate with tribal law enforcement for the pickup of the individual at time of release and troubleshoot and resolve implementation challenges. Initial estimates suggest a total of 1.0 FTE and \$93,000 would be needed for FY2025 and 1.0 FTE and \$86,000 for FY2026 and each year thereafter.

The DOC is unsure of what may be the full impacts of this bill, so will “true up” the fiscal impact in subsequent budget submittals utilizing the legislatively approved community corrections caseload workload model should the legislation be

enacted into session law.

- 1.0 FTE Administrative Assistant 3 (AA3) - This position would provide data to agency leaders on the number of impacted individuals, feedback on the process, and outcomes of warrants/detainers.

Information Technology (IT) 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 to RCW 9.94A.525 for technical corrections.

Cost Calculation Estimate:

IT Application Developer| \$185 per hour x 10 hours = \$1,850
IT Quality Assurance| \$185 per hour x 8 hours = \$1,480
IT Business Analyst| \$185 per hour x 8 hours = \$1,480
Total One-Time Costs in FY 2024 \$5,000 (rounded to nearest thousand)

Indirect Costs:

The DOC requests funding for the indirect costs of agency administration, which includes 0.1 FTEs and \$10,000 in FY2025, and each year thereafter, for the purpose of supporting Payroll, Human Resources, Information Technology, and other expenses associated with the hiring and employment of staff to implement this legislation. The approved agency indirect rate and associated cost of administration are calculated based on the salaries and benefits of staff conducting back office administrative functions, divided by all remaining salaries and benefits.

AGO Cost Impacts:

It is unknown how many of these tribal fugitive proceedings might occur annually, therefore, the impact is indeterminate.

Agency Wide Impact:

The DOC estimates the following fiscal impact related to Records, IT, and Indirect Costs:

FY2025: 1.1 FTEs and \$108,000
FY2026: 1.1 FTEs and \$97,000
FY2027: 1.1 FTEs and \$97,000
FY2028: 1.1 FTEs and \$97,000
FY2029: 1.1 FTEs and \$97,000

Note: the above amounts are rounded to the nearest thousands.

The DOC will “true up” our fiscal impact in subsequent budget submittals should the legislation be enacted into session law

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	108,000	108,000	194,000	194,000
Total \$			0	108,000	108,000	194,000	194,000

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		1.0	0.5	1.0	1.0
A-Salaries and Wages		54,000	54,000	108,000	108,000
B-Employee Benefits		23,000	23,000	46,000	46,000
C-Professional Service Contracts		5,000	5,000		
E-Goods and Other Services		7,000	7,000	14,000	14,000
G-Travel		1,000	1,000	2,000	2,000
J-Capital Outlays		7,000	7,000	2,000	2,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		11,000	11,000	22,000	22,000
9-					
Total \$	0	108,000	108,000	194,000	194,000

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

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
Administrative Assistant 3	54,133		1.0	0.5	1.0	1.0
Total FTEs			1.0	0.5	1.0	1.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administration & Support Svcs (100)		15,000	15,000	22,000	22,000
Community Supervision (300)		90,000	90,000	166,000	91,300
Interagency Payments (600)		3,000	3,000	6,000	6,000
Total \$		108,000	108,000	194,000	119,300

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: 6146 S SB	Title: Tribal warrants	Agency: 360-University of Washington
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Michael Lantz	Phone: 2065437466	Date: 01/29/2024
Agency Approval: Jed Bradley	Phone: 2066164684	Date: 01/29/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2024

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.

Substitute Senate Bill 6146 concerns the authority of Washington’s 29 federally recognized Indian tribes to issue criminal arrest warrants. It sets procedures for both “certified” and “non-certified” tribes and specifies how non-tribal government entities must respond to warrants issued by tribes. Compared with the original bill, the substitute:

- Clarifies that a tribe meets the definition of certified tribe when the tribe has posted to its public website confirmation that it meets the requirements of the tribal law and order act, as verified by the Office of the Attorney General.
- Requires the Office of the Attorney General, rather than the tribal state court consortium, to verify tribes meet the tribal law and order act requirements.
- Permits only tribal court representatives who are either certified Washington peace officers or who have been cross-deputized to transport tribal fugitives back to tribal lands.

Any fiscal impact to the University of Washington Police Department (UWPD) from SSB 6146 are expected to be minimal. UWPD estimates that approximately 10 hours of work time will be needed to make required policy revisions and to train commissioned personnel. These costs can be absorbed using 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.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 365-Washington State University
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Anne-Lise Brooks	Phone: 509-335-8815	Date: 01/31/2024
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/31/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/31/2024

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.

SSB 6146 seeks to expand cross jurisdictional cooperation so fugitives from tribal courts cannot evade justice by remaining off reservation in Washington's counties and cities, while ensuring that defendants receive the fullest due process protections.

Washington State University does not expect any fiscal impact on its public safety operations due to this bill.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 370-Eastern Washington University
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Tammy Felicijan	Phone: (509) 359-7364	Date: 01/31/2024
Agency Approval: Tammy Felicijan	Phone: (509) 359-7364	Date: 01/31/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/31/2024

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.

SSB 6146 seeks to create uniform processes by which the state can reciprocate with American Indian tribes within Washington the return of individuals who violate tribal law and seek to avoid tribal justice systems by leaving tribal jurisdiction.
Changes from the original bill adjust some language related to tribal officers and their responsibilities.
Changes or additions to current process will be minimal, therefore EWU anticipates no fiscal impact as a result of this bill.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 375-Central Washington University
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Alexa Orcutt	Phone: 5099632955	Date: 01/29/2024
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 01/29/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2024

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.

6146 SSB is the proposed substitute for 6146 SB. 6146 SSB removes paragraph two from section 1 and in section 2(2) removes verbiage and inserts “and has otherwise posted confirmation to the tribal government's public website documenting the tribe has met the requirements of the tribal law and order act as certified by the AGO”. 6146 SSB adds a new section to note the AGO will verify the certification of the tribe, resulting in the other sections moving down in number and adjustment to section references. 6146 SB section 8(2) and 10(1) are expanded in 6146 SSB.

CWU does not estimate any fiscal impact based on the language of this substitute bill.

Please see the original summary of 6146 SB below:

Section 1, 3-11: Intent of the legislature to create uniform processes and communications by which the state may consistently reciprocate with tribes the return of those who violate tribal law and are seeking to avoid tribal justice systems by leaving tribal jurisdiction. Also, describes protections for individuals alleged to have violated criminal laws. Complying with warrants and judicial processes.

Section 2: Defines: (1) Noncertified tribe” (2) “Certified tribe” (3) "Peace officer" (4) "Place of detention" (5) "Tribal court judge" (6) "Tribal fugitive" or "fugitive" (7) "Tribal police officer".

Section 12: New: Chapter may be known as “tribal warrants act”.

Section 13: New: Sections 1-12 of this act constitute a new chapter in Title 10 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.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 376-The Evergreen State College
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 01/26/2024
Agency Approval: Lisa Dawn-Fisher	Phone: 564-233-1577	Date: 01/26/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2024

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.

S SB 6146 relates to tribal warrants.

Section 11 states that a police officer who arrests a person on a tribal warrant, if no other grounds for detention exist, will contact the tribal law enforcement agency to establish the validity of the warrant.

The revisions to S SB 6146 do not change the college’s assessment that this is a no fiscal impact bill for The Evergreen State College.
SB 6242

SB 6146 relates to expanding cross jurisdictional cooperation so that fugitives from tribal courts cannot evade justice by remaining off reservation in Washington Cities and Counties.

Section 1 states that the intention of the bill is expand cross-jurisdictional cooperation so that fugitives from tribal courts cannot evade justice by staying off reservation, while ensuring that defendants receive the fullest possible due process protection.

Section 2 defines “noncertified tribe,” certified tribe,” “peace officer,” “place of detention,” “tribal court judge,” tribal fugitive,” and “tribal police officer.”

Section 9(1) states that a peace officer may arrest a person subject to a tribal arrest warrant. The person must be brought to an appropriate place of detention and then to the nearest available superior court judge without unnecessary delay.

Section 10(1) states that an arrest warrant issued by the court of a certified tribe shall be enforced by the peace officers of the state as if it were the arrest warrant of the state.

This bill creates no new expenses for the Evergreen State College since the procedures to be followed are the same as that for other individuals with arrest warrants.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 380-Western Washington University
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Timothy Davenport	Phone: 3606503257	Date: 01/29/2024
Agency Approval: Anna Hurst	Phone: 360-650-3569	Date: 01/29/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/30/2024

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.

The original bill creates a process for state law enforcement officers and places of detention to deliver detainees to requesting Native American tribes. The bill also creates a process for state law enforcement officers to enforce tribal arrest warrants.

This first substitute bill:

- Clarifies that a tribe meets the definition of certified tribe when the tribe has posted to its public website confirmation that it meets the requirements of the tribal law and order act, as verified by the Office of Attorney General.
- Requires the Office of Attorney General, rather than the tribal state court consortium, to verify tribes meet the tribal law and order act requirements.
- Permits only tribal court representatives who are either certified Washington peace officers or who have been cross-deputized to transport tribal detainees back to tribal lands.

These changes do not modify our fiscal impact analysis that was outlined in the original bill. This is our current practice for other agencies; this just adds Tribal Warrants to that list.

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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 465-State Parks and Recreation 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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Robert Ingram	Phone: (360) 902-8615	Date: 01/26/2024
Agency Approval: Frank Gillis	Phone: (360) 902-8538	Date: 01/26/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	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.

Since State Parks does not operate any detention facilities, this substitute bill would have no fiscal impact on the agency.

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.

Since State Parks does not operate any detention facilities, this substitute bill would have no fiscal impact on the agency.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

None.

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 477-Department of Fish and Wildlife
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: David Hoeveler	Phone: (360) 970-1638	Date: 01/30/2024
Agency Approval: David Hoeveler	Phone: (360) 970-1638	Date: 01/30/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/30/2024

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.

NO CHANGE FROM PREVIOUS FISCAL NOTE

Section 1 Creates a uniform process by which the state may consistently reciprocate with tribes the return of those individuals who violate tribal law and seek to avoid tribal justice systems by leaving tribal jurisdiction and reaffirms the right to due process.

Section 9 Allows an officer to arrest and detain a person subject to tribal warrants.

Section 11 Requires WA peace officers to contact tribal law enforcement if detaining person with tribal warrant.

WDFW Enforcement Officers will need to be briefed on the general procedures for effecting an arrest of a subject based on a tribal arrest warrant in an off-reservation situation along with processes for transferring the individual in custody to the appropriate detention facility. Updating this procedure will not have a 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

Bill Number: 6146 S SB	Title: Tribal warrants	Agency: 490-Department of Natural Resources
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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: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Preparation: Ana Cruz	Phone: 3609021121	Date: 01/29/2024
Agency Approval: Brian Considine	Phone: 3604863469	Date: 01/29/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/30/2024

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 substitute bill does not change the fiscal impact to the Department of Natural Resources (DNR).

Section 1 - 2 describe the purpose and definitions of the bill to expand cross jurisdictional cooperation so that fugitives from tribal courts cannot evade justice by remaining off reservation in Washington's counties and cities, while ensuring that defendants protections receive the fullest due process protections. The substitute bill added Section 3 naming the office of the attorney general shall verify the certification of the tribe, that the tribe meets the requirements of the tribal law and order act of 2010, section 234, codified at 25 U.S.C. Sec. 1302. Sections 4 - 11 describe the procedures for non-certified and certified tribes.

This bill, if passed, clarifies rules by which tribal warrants are processed as they apply to both non-certified and certified tribes in the state. It also clarifies procedures for the processing of tribal warrants to include with the courts and jails where the warrants are held. This bill does not impact the normal operations of DNR's law enforcement officers and does not have 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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 6146 S SB

Title: Tribal warrants

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

Legislation Impacts:

- ☒ **Cities:** Approximately \$239,547 to provide training to local law enforcement and corrections officers; indeterminate expenditure impact resulting from increased arrests, detentions
- ☒ **Counties:** Approximately \$126,559 to provide training to local law enforcement and corrections officers; indeterminate expenditure impact resulting from increased arrests, detentions; indeterminate expenditure impacts to prosecutors as a result of responding to tribal extradition requests
- ☐ **Special Districts:**
- ☐ **Specific jurisdictions only:**
- ☐ **Variance occurs due to:**

Part II: Estimates

- ☐ No fiscal impacts.
- ☒ **Expenditures represent one-time costs:** Approximately \$366,106 to provide training to local law enforcement and corrections office
- ☐ **Legislation provides local option:**
- ☒ **Key variables cannot be estimated with certainty at this time:** Additional arrests and detentions that may occur in response to tribal warrants, number of tribal extradition requests prosecutors may be required to respond to and number of associated hearings

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City		239,547	239,547		
County		126,559	126,559		
TOTAL \$		366,106	366,106		
GRAND TOTAL \$	366,106				

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

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 02/01/2024
Leg. Committee Contact: Sam Brown	Phone: 786-7470	Date: 01/26/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/01/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/01/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

This fiscal note analyzes the local impact of SSB 6146, comparing it to the impact of SB 6146.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

Section 2 of the proposed substitute would change the definitions of certified and noncertified tribes, removing the alternate requirement that certified tribes have been certified by the Tribal State Court Consortium.

Section 3 would add a new section requiring that the Office of the Attorney General must verify tribal certification, and that certified tribes meet the specified requirements of the Tribal Law and Order Act.

Section 9 would add a requirement that in order to be able to transport a tribal fugitive within the state of Washington pursuant to an order of surrender, a tribal court representative must be certified as a general authority Washington peace officer, or must be cross-deputized pursuant to chapter 10.93 RCW.

Section 11 would add a requirement that if no other grounds exist for detention, a Washington peace officer who arrests a person pursuant to an arrest warrant from a certified tribe must contact the tribal law enforcement agency that issued the warrant to establish its validity.

These changes would not impact the local government expenditure or revenue impacts below.

SUMMARY OF CURRENT BILL:

Sections 1 through 13 of the proposed legislation would constitute a new chapter in Title 10 RCW known as the Tribal Warrants Act.

Section 2 would provide definitions for the Tribal Warrants Act.

A noncertified tribe would be defined as a federally recognized tribe located within the borders of the state of Washington that is requesting that a tribal fugitive be surrendered, but has not received approval to exercise jurisdiction under the Tribal Law and Order Act of 2010, among other conditions. A certified tribe would be defined as a federally recognized tribe located within the borders of the state of Washington that has received approval to exercise jurisdiction under the Tribal Law and Order Act, among other conditions.

A place of detention would be defined as a jail, a correctional facility, and any similar facility contracted by a city or county.

Section 3 would add a new section requiring that the Office of the Attorney General must verify tribal certification, and that certified tribes meet the specified requirements of the Tribal Law and Order Act.

Section 4 would require that a place of detention provide notice to the tribal law enforcement of a noncertified tribe who issued an arrest warrant for a tribal fugitive as soon as practicable after learning that the tribal fugitive is a prisoner in the place of detention, including the reason for the detention and the anticipated date of release, if known.

Section 5 would require that an extradition demand from a noncertified tribe be recognized if in writing, it alleges that the person is a tribal fugitive, the tribal court has jurisdiction, and is accompanied by certain specified documentation.

Section 6 would require that in cases where a criminal prosecution has been instituted against a tribal fugitive and is still pending, extradition on a tribal court request under sections 4 through 10 of this act be placed on hold until the tribal fugitive's release from a place of detention, unless otherwise agreed upon.

Section 7 would require that in response to a noncertified tribal extradition request, the attorney general or prosecuting attorney shall submit the applicable documents accompanying the request to a superior court judge along with a motion for an order of surrender.

A person served with an order of surrender would be required to be taken before a superior court judge the next judicial day, and could, in the presence of any superior court judge, sign a statement that they consent to their return to the noncertified tribe, or request a hearing to test the legality of the extradition request. If during such a hearing, the superior court judge determines certain requirements have been met, they would be required to issue an order of surrender.

If the noncertified tribe does not take custody of the person pursuant to the order of surrender on the date the person is scheduled to be released from the place of detention or within 48 hours of the entry of the order of surrender, whichever is later, the person may be released from custody with bail conditioned on the person's appearance before the court at a time specified for their surrender to the noncertified tribe or for the vacation of the order of surrender.

Section 8 would require that under certain conditions, a place of detention shall deliver or make available a person in custody to a noncertified tribe without a judicial order of surrender.

Section 9 would require that a noncertified tribe that requests extradition pursuant to this act is responsible to arrange the transportation for the tribal fugitive from the place of detention to the tribal court or detention facility. In order to be able to transport a tribal fugitive within the state of Washington pursuant to an order of surrender, a tribal court representative would be required to be certified as a general authority Washington peace officer, or be cross-deputized pursuant to chapter 10.93 RCW.

Section 10 would specify that a peace officer may arrest a person subject to a tribal arrest warrant from a noncertified tribe when the warrant is presented by a tribal court representative or tribal law enforcement officer to the peace officer or a general authority Washington law enforcement agency, or entered in the National Crime Information Center Interstate Identification Index.

Section 11 would specify that any arrest warrant issued by the court of a certified tribe shall be accorded full faith and credit by the courts of the state of Washington and enforced by the court and peace officers of the state as if it were the arrest warrant of the state. If no other grounds exist for detention, a Washington peace officer who arrests a person pursuant to an arrest warrant from a certified tribe would be required to contact the tribal law enforcement agency that issued the warrant to establish its validity.

This section would also require that places of detention allow a certified tribe to place a detainer on an incarcerated person, which would constitute a request to hold the person for the certified tribe, and provide notification when their release is imminent so that person can be transferred to tribal custody.

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.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers and commissioned corrections personnel would need to go through training regarding the tribal extradition and warrant processes this bill would create. WASPC estimates that approximately 30 minutes of training would be required per law enforcement and commissioned corrections officer. This training would require a one-time cost of \$239,547 for cities and \$126,559 for counties, for a total one-time cost to local governments of \$366,106.

The 2022 Crime in Washington Report conducted by WASPC states that there are 6,647 commissioned officers in police departments and 2,249 commissioned officers in sheriff's departments, for a total of 8,896 commissioned law enforcement employees that would require training. The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$71, and the same figure for an officer employed by a county to be \$72. If every officer in Washington had to complete approximately

30 minutes of training, the cost to local governments would be:

Cities:

6,647 officers X 0.5 hours training time X \$71 average hourly salary plus benefits and overhead = \$235,969

Counties:

2,249 officers X 0.5 hours training time X \$72 average hourly salary plus benefits and overhead = \$80,964

The 2023 Association of Washington Cities Salary and Benefits Survey reported 135 commissioned corrections personnel employed by cities, and 1,861 such personnel employed by counties, for a total of 1,996 commissioned corrections personnel that would require training. The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for a commissioned corrections officer employed by a city to be \$53, and the same figure for an officer employed by a county to be \$49. If every commissioned city and county corrections officer in Washington had to complete approximately 30 minutes of training, the cost to local governments would be:

Cities:

135 corrections personnel X 0.5 hours training time X \$53 average hourly salary plus benefits and overhead = \$3,578

Counties:

1,861 corrections personnel X 0.5 hours training time X \$49 average hourly salary plus benefits and overhead = \$45,595

The total costs to provide 30 minutes of training to all city and county law enforcement and commissioned corrections personnel would be:

City total:

\$235,969 law enforcement training cost + \$3,578 corrections training cost = \$239,547

County total:

\$80,964 law enforcement training cost + \$45,595 corrections training cost = \$126,559

Combined total:

\$239,547 + \$126,559 = \$366,106

Training materials and time required may differ among different jurisdictions, however.

Additionally, WASPC indicates that if there were an increase in arrests or detentions in response to tribal warrants, local governments would incur additional costs. It is unknown, however, how many additional arrests or detentions may result from the tribal warrant provisions of the proposed legislation, so the associated local government expenditure impact is indeterminate.

The creation of an extradition process for noncertified tribes by the proposed legislation would have an indeterminate expenditure impact on prosecutors. According to the Washington Association of Prosecuting Attorneys, non-tribal extradition hearings like those that section 6 of the proposed legislation would create require approximately 30 minutes to one hour of time from a prosecuting attorney and a staff member for preparation, and approximately five to 30 minutes of prosecuting attorney time for a hearing. Subsequent hearings require additional prosecuting attorney time.

However, it is unknown how many tribal extradition requests prosecuting attorneys may be required to respond to, or how much time and how many subsequent hearings each request may require, so the associated local government expenditure impact is indeterminate.

C. SUMMARY OF REVENUE IMPACTS

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

The proposed legislation would have no impact on local government revenues.

SOURCES:

Association of Washington Cities Salary and Benefits Survey, 2023

Crime in Washington Report, 2022

Local Government Fiscal Note Program Criminal Justice Cost Model, 2024

Washington Association of Prosecuting Attorneys

Washington Association of Sheriffs and Police Chiefs