

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2079 S HB	<b>Title:</b> Schools/threats
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## Estimated Cash Receipts

NONE

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

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	.0	0	0	0	.0	0	0	0	.0	0	0	0
Superintendent of Public Instruction	.0	0	0	0	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Final 2/ 5/2024
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# Judicial Impact Fiscal Note

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

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 02/02/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/02/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/02/2024

193,340.00

Request # 174-1

## Part II: Narrative Explanation

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

The substitute would not make any changes affecting the fiscal impact to the Administrative Office of the Courts or the courts.

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

No fiscal impact to the Administrative Office of the Courts.

## Part III: Expenditure Detail

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

NONE

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

NONE

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

NONE

### III. D - FTE Detail

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

None

193,340.00

Form FN (Rev 1/00)

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Request # 174-1

Bill # 2079 S HB

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2079 S HB	<b>Title:</b> Schools/threats	<b>Agency:</b> 101-Caseload Forecast Council
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 02/05/2024
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 02/05/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/05/2024

## Part II: Narrative Explanation

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

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

See attached.

### II. B - Cash receipts Impact

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

None.

### II. C - Expenditures

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

See attached.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# **SHB 2079**

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

**101 – Caseload Forecast Council  
January 31, 2024**

### **SUMMARY**

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

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

### **EXPENDITURES**

#### **Assumptions.**

None.

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

None.

#### **Impact Summary.**

This bill:

- Expands the definitions of two existing gross misdemeanor offenses.

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

This bill expands the definition of two gross misdemeanor offenses. The Caseload Forecast Council does not collect data on misdemeanor and gross misdemeanor offenses, and, therefore, cannot reliably estimate bed impacts resulting from the bill.

However, as gross misdemeanor offenses are punishable by a term of confinement of 0-364 days in jail, any impact should manifest itself as an increased need for jail beds only.



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

The bill expands the definition of two gross misdemeanor offenses that are considered as Category D on the juvenile grid. As Category D offenses, they are punishable by Local Sanctions (0-30 days in local juvenile detention). Therefore, increased incidence of this offense would likely impact only local juvenile detention beds.

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

**Impacts on DOC Supervision Population.**

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2079 S HB	<b>Title:</b> Schools/threats	<b>Agency:</b> 225-Washington State Patrol
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**Part I: Estimates**

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 02/01/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/01/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/02/2024

## 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 legislation has no fiscal impact to the Washington State Patrol.

It is currently unlawful to interfere by force or violence with an administrator, teacher, classified employee, person under contract with the school or school district, or student of any common school when he or she is conducting his or her duties or studies. That group is changed to "an employee or contractor of a public or private elementary or secondary school, an elementary or secondary student, or an official or volunteer acting as an official for extracurricular athletic activities of elementary or secondary students". The bill also address consequences of such actions such as expulsion from the school and/or exclusion from applicable extracurricular activities.

### 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.*

There is no change to our workload from this bill.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2079 S HB	<b>Title:</b> Schools/threats	<b>Agency:</b> 307-Department of Children, Youth, and Families
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

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

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Preparation: Jay Treat	Phone: 360-556-6313	Date: 02/05/2024
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 02/05/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/05/2024

## 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.*

Comparison 2079 HB to 2079 SHB:

The substitute bill restores the current classifications, maximum fines, and maximum terms of confinement for the offenses of Interference by Force or Violence and Intimidation by Threat of Force or Violence.

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2079 HB

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

It also expanded the definition of gross misdemeanors to include school officials, volunteers acting as an official, for extracurricular athletic activities of elementary of secondary students.

### II. B - Cash receipts Impact

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

None

### II. C - Expenditures

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

Fiscal impact is indeterminate.

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

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

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

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

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

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

NONE

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2079 S HB	<b>Title:</b> Schools/threats	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Preparation: Buffy Hatcher	Phone: (360) 725-8428	Date: 02/02/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 02/02/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/05/2024



## 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 House Bill (SHB) 2079 differs from previous versions of this bill as follows:

- Section 2(3) removes language from the original bill that increased the classification of Interference by force or violence from a gross misdemeanor to a Class C felony offense.
- Section 3(2) removes language from the original bill that increased the classification of Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful from a gross misdemeanor to a Class C felony offense.

The following impacts from the original bill remain unchanged in the substitute:

- Section 2(1) expands the definition of the offense of Interference by force or violence by including an official or volunteer acting as an official for extracurricular athletic activities of elementary or secondary students.
- Section 3(1) expands the definition of the offense of Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful by including an official, or volunteer acting as an official, for extracurricular athletic activities of elementary or secondary students.

The effective date is assumed to be 90 days after the adjournment of the session in which this bill is passed.

### II. B - Cash receipts Impact

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

None. All impacts are General Fund-State.

### 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 expands the definition of two gross misdemeanor offenses. The Caseload Forecast Council (CFC) does not collect data on misdemeanor and gross misdemeanor offenses and, therefore, cannot reliably estimate bed impacts resulting from the bill.

However, as gross misdemeanor offenses are punishable by a term of confinement of 0-364 days in jail, any impact should manifest itself as an increased need for jail beds only.

This bill is assumed to impact jail beds only, so it will have no direct fiscal impact to the Department of Corrections (DOC)

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

None.

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2079 S HB	<b>Title:</b> Schools/threats	<b>Agency:</b> 350-Superintendent of Public Instruction
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Preparation: Cindy Jendryka-Wirkkala	Phone: 3607256292	Date: 02/05/2024
Agency Approval: TJ Kelly	Phone: 360 725-6301	Date: 02/05/2024
OFM Review: Brian Fechter	Phone: (360) 688-4225	Date: 02/05/2024

## 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.*

Changes in SHB 2079 compared to HB2079

#### Section 1(3)

Language amended to remove that the penalty for violence against students and school staff would match the penalty for assault on school bus drivers.

#### Section 2(3)

Language amended to add that a person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment. Language removed stating the penalty would be a class C felony punishable under chapter 9A.20 RCW.

#### Section 3(2)

Language amended to add that a person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment. Language removed stating the penalty would be a class C felony punishable under chapter 9A.20 RCW.

#### Summary of SHB 2079

##### Section 1 – NEW

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

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

(3) The legislature intends to increase the penalty for violence against students and staff.

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

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

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

(3) A person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment. If convicted, the person, other than a student, will be excluded from entering the school or attending extracurricular athletic activities where the crime was committed for up to 12 months.

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

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

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

(2) A person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment.

**II. B - Cash receipts Impact**

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

There is no impact to cash receipts.

**II. C - Expenditures**

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

No cost impact projected. OSPI does not anticipate any additional work as a result of the implementation of this bill.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

NONE

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

NONE

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

NONE

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

There is no capital budget impact.

**Part V: New Rule Making Required**

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

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 2079 S HB

Title: Schools/threats

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

### Legislation Impacts:

Cities: Costs for law enforcement

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

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

## Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs:

Legislation provides local option:

Key variables cannot be estimated with certainty at this time: Number of violations of expanded school interference offenses.

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

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

## Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 02/01/2024
Leg. Committee Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/01/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/05/2024

## **Part IV: Analysis**

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

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

#### **CHANGES BETWEEN THIS VERSION AND PRIOR VERSION OF BILL:**

The substitute version of the bill returns the penalties for school interference and threats to gross misdemeanors. In the previous version these were classified as felonies. This change reduces the indeterminate expenditure impacts discussed below.

#### **SUMMARY OF BILL:**

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

A person violating these sections is guilty of a gross misdemeanor and shall be fined not more than \$500, or imprisoned in jail not more than six months, or both such fine and imprisonment.

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

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

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

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

The average cost to investigate, prosecute, and defend a comparable gross misdemeanor charge is \$5,711, according to the Local Government Fiscal Note Program criminal justice costs model.

The Caseload Forecast Council (CFC) has no information about the expected incidence or the sentences that might be imposed. However, gross misdemeanor offenses are punishable by a term of confinement of 0-364 days in jail. Juveniles convicted of the expanded misdemeanor offenses could serve 0-30 days in local juvenile detention.

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

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

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

The legislation would have no revenue impacts for local government.

#### **SOURCES:**

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



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2079 S HB	<b>Title:</b> Schools/threats	<b>Agency:</b> SDF-School District Fiscal Note - SPI
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/31/2024
Agency Preparation: Cindy Jendryka-Wirkkala	Phone: 3607256292	Date: 02/05/2024
Agency Approval: TJ Kelly	Phone: (360) 725-6301	Date: 02/05/2024
OFM Review: Brian Fechter	Phone: (360) 688-4225	Date: 02/05/2024

## 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.*

Changes in SHB 2079 compared to HB2079

#### Section 1(3)

Language amended to remove that the penalty for violence against students and school staff would match the penalty for assault on school bus drivers.

#### Section 2(3)

Language amended to add that a person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment. Language removed stating the penalty would be a class C felony punishable under chapter 9A.20 RCW.

#### Section 3(2)

Language amended to add that a person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment. Language removed stating the penalty would be a class C felony punishable under chapter 9A.20 RCW.

#### Summary of SHB 2079

##### Section 1 – NEW

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

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

(3) The legislature intends to increase the penalty for violence against students and staff.

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

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

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

(3) A person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment. If convicted, the person, other than a student, will be excluded from entering the school or attending extracurricular athletic activities where the crime was committed for up to 12 months.

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

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

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

(2) A person violating this section is guilty of a gross misdemeanor and shall be fined not more than five hundred dollars, imprisoned not more than six months, or both such fine and imprisonment.

**II. B - Cash receipts Impact**

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

There is no impact to cash receipts.

**II. C - Expenditures**

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

No cost impact projected. School Districts do not anticipate any additional work as a result of the implementation of this bill.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

NONE

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

NONE

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

NONE

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

There is no capital budget impact.

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

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