

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 6006 2S SB 6006-S2 AM CSJR H-3302.2	<b>Title:</b> Victims of human trafficking
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	38,000	0	0	150,000	0	0	150,000
Department of Labor and Industries	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Children, Youth, and Families	0	0	11,000	0	0	32,000	0	0	32,000
Total \$	0	0	49,000	0	0	182,000	0	0	182,000

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	Non-zero but indeterminate cost and/or savings. Please see discussion.					
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 State Auditor	1.7	0	0	289,266	.0	0	0	0	.0	0	0	0
Office of Attorney General	.9	185,000	185,000	223,000	1.8	370,000	370,000	520,000	1.8	370,000	370,000	520,000
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Criminal Justice Training Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Labor and Industries	.0	0	0	0	.0	115,000	115,000	115,000	.0	131,000	131,000	131,000
Department of Children, Youth, and Families	.5	185,000	185,000	196,000	1.0	414,000	414,000	446,000	1.0	414,000	414,000	446,000
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Superintendent of Public Instruction	.0	2,000	2,000	2,000	.0	4,000	4,000	4,000	.0	4,000	4,000	4,000
<b>Total \$</b>	<b>3.1</b>	<b>372,000</b>	<b>372,000</b>	<b>710,266</b>	<b>2.8</b>	<b>903,000</b>	<b>903,000</b>	<b>1,085,000</b>	<b>2.8</b>	<b>919,000</b>	<b>919,000</b>	<b>1,101,000</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other						105,644			
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						105,644			

## 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 State Auditor	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
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 Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

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

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Danya Clevenger, OFM	<b>Phone:</b> (360) 688-6413	<b>Date Published:</b> Final 2/27/2024
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<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: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 02/23/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/23/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/23/2024

195,378.00

Request # 244-1

## 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 or minimal 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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<b>Agency:</b> 095-Office of State Auditor
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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	1.7	1.7	1.7	0.0	0.0
<b>Account</b>					
Performance Audits of Government Account-Non-Appropriated 553 -6	144,633	144,633	289,266	0	0
<b>Total \$</b>	144,633	144,633	289,266	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: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Charleen Patten	Phone: 564-999-0941	Date: 02/23/2024
Agency Approval: Janel Roper	Phone: 564-999-0820	Date: 02/23/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/23/2024

## 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(1)(a-d) establishes measures to be audited along with other measures set by the State Auditor. This performance audit will focus on how the fees are assessed, examine the use of the revenue collected, and of that revenue collected verify that 50% is used on prevention and rehabilitative services. In addition, if fees are not being assessed or used as required, the audit will outline recommendations for corrective action.

Section 2(2) Allows the State Auditor to use a sampling of jurisdictions as needed.

The State Auditor will publish its final audit report no later than December 31, 2025. This is a one-time audit as outlined in the proposed legislation.

### II. B - Cash receipts Impact

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

This work would be funded through the Performance Audits of Government Account which relies on a dedicated portion of sales tax revenue. Therefore, no cash receipts are estimated.

### 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.*

Projected expenditures reflect our management team's best estimate of work to be performed based on the requirements outlined in the bill. This effort is in addition to the current human trafficking performance audit SAO is currently working on. Due to the current audit in progress the completion of the additional requirements is expedited.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
553-6	Performance Audits of Government Account	Non-Appropriated	144,633	144,633	289,266	0	0
<b>Total \$</b>			144,633	144,633	289,266	0	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.7	1.7	1.7		
A-Salaries and Wages	102,758	102,758	205,516		
B-Employee Benefits	30,375	30,375	60,750		
C-Professional Service Contracts					
E-Goods and Other Services	11,500	11,500	23,000		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	144,633	144,633	289,266	0	0

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Admn/Overhead	101,985	0.3	0.3	0.3		
Principal Performance Auditor	138,185	0.1	0.1	0.1		
Senior Performance Auditor	124,453	1.3	1.3	1.3		
<b>Total FTEs</b>		1.7	1.7	1.7		0.0

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Revolving Account-State 405-1		38,000	38,000	150,000	150,000
<b>Total \$</b>		38,000	38,000	150,000	150,000

### Estimated Operating Expenditures from:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.7	0.9	1.8	1.8
<b>Account</b>					
General Fund-State 001-1	0	185,000	185,000	370,000	370,000
Legal Services Revolving Account-State 405-1	0	38,000	38,000	150,000	150,000
<b>Total \$</b>	0	223,000	223,000	520,000	520,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 02/24/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/24/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/25/2024

## 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 - Amends RCW 9A.40.100. Changes definition of first-degree trafficking.

Section 2 - New section. Statue Auditor must conduct a performance audit of the collection and use of mandatory fees assessed under RCW 9A.40.100. Sets out what the audit shall determine.

Section 3 - New section added to Chapter 7.68 RCW. Subject to available funds, the commercially sexually exploited children statewide coordinating committee is established. Sets out intent of this committee. Committee is convened by the Attorney General's Office (AGO) with the Department of Commerce (Commerce) and sets out membership.

Section 4 - Reenacts and amends RCW 13.34.030. Adds definition to include victim of sex trafficking as a basis to find a child dependent provided the parent is involved in the trafficking.

Section 5 - Amends RCW 26.44.020. Adds sex trafficking to the definition of abuse or neglect.

Section 6 - Amends RCW 26.44.030. Adds diversion unit staff to those defined as mandatory reporters.

Section 7 - New section added to Chapter 26.44 RCW. The Department of Children, Youth, and Families (DCYF) must use a validated assessment tool to screen children for commercial sexual abuse if circumstances warrant a screening.

Section 8 - Amends RCW 74.13.031. Adds requirement for assessment and services offered to children, who are victims of sex trafficking.

Section 9 - Reenacts and amends RCW 7.105.010. Adds commercial sexual exploitation.

Section 10 - Amends RCW 7.105.100. Adds commercial sexual exploitation for a basis to obtain a sexual assault protection order.

Section 11 - Amends RCW 7.105.110. Allows DCYF or a law enforcement agency to file a petition for a sexual assault protection order on behalf of a minor.

Section 12 - Amends RCW 7.105.225. Adds commercial sexual exploitation as a basis for a court to issue a sexual assault protection order.

Section 13 - Amends RCW 7.105.405. Adds commercial sexual exploitation as a basis to grant the renewal of a sexual assault protection order.

Section 14 - Amends RCW 7.105.500. Adds commercial sexual exploitation to sections where sexual assault protection orders are discussed.

Section 15 - Amends RCW 7.68.060. Makes changes to rules regarding application of benefits. Eliminates requirement for cooperation with law enforcement. Allows application made by minor victim of sex trafficking to be made at any time and the ineligibility factors do not apply.

Section 16 - Reenacts and Amends RCW 9A.04.080. Adds sex trafficking to crimes that have no statute of limitations.

Section 17 - Amends RCW 9A.44.120. Minor change to age at which something is admissible in dependency proceedings.

Section 18 - Amends RCW 9A.44.150. Minor change to allow children under the age of 18 to testify outside the presence of the defendant and jury. Also, sets out what court must consider in allowing this.

Section 19 - Amends RW 9A.82.100. Adds references to statutes. Sets out when civil proceedings must be initiated.

Section 20 - Amends RCW 10.97.130. Makes details of commercial sexual exploitation confidential and not subject to release.

Section 21 - Amends RCW 42.56.240. Makes details of commercial sexual exploitation exempt from disclosure under Public Records Act.

Section 22 - New section. Severability clause.

Section 23 - New section. Effective date is January 1, 2025.

## **II. B - Cash receipts Impact**

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

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Children, Youth, and Families (DCYF). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

### **AGO AGENCY ASSUMPTIONS:**

DCYF will be billed for non-King County and King County rates:

FY 2025: \$38,000 for 0.1 non-King County Assistant Attorney General FTE (AAG), 0.1 King County AAG, 0.1 non-King County Paralegal 1 FTE (PL1), 0.1 King County PL1, which includes direct litigation costs of \$1,600

FY 2026 and in each FY thereafter: \$75,000 for 0.2 non-King County AAG, 0.1 King County AAG, 0.1 non-King County PL1, 0.1 King County PL1, which includes direct litigation costs of \$3,200

## **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.*

Attorney General's Office (AGO) Agency Assumptions:

This bill is effective January 1, 2025.

Location of staffing is assumed to be in non-King County and King County office buildings.

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

Agency administration support FTE are included in the tables. The Management Analyst 5 FTE (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 Paralegal 1 FTE (PL1) and 0.4 MA.

1. Assumptions for the AGO Children, Youth, and Families (CYF) Legal Services to the Department of Children, Youth, and Families (DCYF):

These assumptions are for legal services at the following AGO divisions that represent DCYF: CYF, Tacoma Division (TAC), Social and Health Services - Seattle Division (SHS), Spokane Division (SPO), and the Regional Services Division (RSD). Legal services associated with the enactment of this bill will begin on January 1, 2025.

This bill adds “victim(s) of sex trafficking or severe forms of trafficking in persons under the trafficking victims protection act of 2000, 22 U.S.C. Section 7101 et seq.” to the definition of “dependent child” in RCW 13.34.030(6). The AGO assumes this addition will not result in any new dependency filings because any child who may be dependent under this new definition would already be dependent under currently effective definition of a dependent child. RCW 13.34.030(6)(b) (the child is abused or neglected) or (c) (the child has no parent capable of providing adequate care such that the child is in circumstances that constitute a danger of substantial damage to the child’s psychological or physical development).

DCYF estimates it will seek 26 Sexual Assault Protection Orders (SAPO) annually and 25 percent of these cases will be in King County. The AGO assumes 25 percent of the increased workload as a result of this bill will take place in King County. The AGO assumes as legal counsel for DCYF, collecting the information to prepare the SAPO petition, drafting the petition, and appearing for the initial hearing for a temporary SAPO will require three hours of AAG time in 90 percent of SAPO cases. The AGO assumes 10 percent of SAPO cases will be extraordinary or complex and will require nine hours of AAG time. This will result in a total of 93 AAG hours.  $((26 \text{ cases} \times 0.9 \times 3 \text{ hours} = 70) + (26 \text{ cases} \times 0.1 \times 9 \text{ hours} = 23) = 93 \text{ AAG hours})$ .

The AGO assumes there will be no initial costs relating to service of the temporary SAPO and SAPO petition because the Sheriff’s Department will serve the respondent at no cost. Because SAPOs are typically requested on an emergent basis, when facts are not typically fully developed and situations are changing quickly. The AGO assumes as legal counsel for DCYF, preparation and filling supplemental declarations or pleadings will require two hours of AAG time per SAPO case. This will result in a total of 52 AAG hours  $(26 \text{ cases} \times 2 \text{ hours} = 52 \text{ AAG hours})$ .

The AGO assumes the respondent will file an answer to the SAPO petition, which will require the AGO as legal counsel for DCYF to prepare and file a reply. The AGO assumes preparing and filing the reply will require two hours of AAG time. This will result in a total of 52 AAG hours  $(26 \text{ cases} \times 2 \text{ hours} = 52 \text{ AAG hours})$ .

In cases where the respondent is not represented by an attorney, the AGO assumes it will cost \$200 to serve them with the reply and other documents for the full hearing. DCYF estimates 15 of the 26 SAPO cases will involve youth who are dependent or alleged to be dependent. The AGO assumes in the 15 SAPO cases where the youth are dependent or alleged to be dependent, the respondent will be represented because they will have an attorney in the dependency case, and the AGO assumes there will be a link between the dependency case and the SAPO case. Therefore, the cost for serving the 11 parents who are not represented will be \$2,200  $(11 \text{ cases} \times \$200 = \$2,200)$ .

The AGO assumes in its role as counsel for DCYF, preparing for and attending the full hearing on the SAPO petition will require four hours of AAG time. This will result in a total of 104 AAG hours  $(26 \text{ cases} \times 4 \text{ hours} = 104 \text{ AAG hours})$ . The AGO assumes the SAPOs in which AAGs represent DCYF will be granted 75 percent of the time at the full hearing, or in 20 cases  $(26 \text{ cases} \times 0.75 = 20 \text{ cases})$ .

Superior court commissioners typically consider SAPO petitions, and rulings of superior court commissioners are subject to revision, the AGO assumes in 25 percent of the cases where the SAPO is granted, the respondent will file a motion to revise the commissioner. This will result in about five cases  $(20 \text{ cases} \times 0.25 = 5 \text{ cases})$ . The AGO assumes it will require

two hours of AAG time to prepare and file a response to the motion for revision and attend the hearing, if any. This will result in 10 hours of AAG time (5 cases x 2 hours = 10 AAG hours). The AGO also assumes it will cost \$200 to order the transcript from the full hearing in order to respond to the motion for revision. This will result in \$1,000 of direct costs (5 cases x \$200 = \$1,000).

The AGO assumes there will be a review hearing in 25 percent of the cases where the SAPO is granted, which will require about one hour of AAG time to prepare for and attend. This will result in five hours of AAG time (20 cases x 0.25 x 1 hour = 5 AAG hours). The AGO assumes in 25 percent of cases where the SAPO is granted the respondent will file an appeal, which the AGO conservatively estimates will require 20 hours of AAG time to litigate. This will result in 100 hours of AAG time (20 cases x 0.25 x 20 hours = 100 AAG hours).

The AGO assumes in 25 percent of cases where the SAPO is granted, there will be a hearing to modify or termination the SAPO, which will require two hours of AAG time to prepare and file responsive pleadings, and prepare for and attend court. This will result in 10 hours of AAG time (20 cases x 0.25 x 2 hours = 10 AAG hours).

CYF: Total non-King County and King County workload impact:

FY 2025: \$38,000 for 0.1 non-King County AAG, 0.1 King County AAG, 0.1 non-King County PL1, 0.1 King County PL1, which includes direct litigation costs of \$1,600.

FY 2026 and in each FY thereafter: \$75,000 for 0.2 non-King County AAG, 0.1 King County AAG, 0.1 non-King County PL1, 0.1 King County PL1, which includes direct litigation costs of \$3,200.

## 2. Assumptions for the AGO Administration Division (ADM) Legal Services:

During FY 2025 and each FY thereafter, ADM assumes the enactment of this bill will require 1.0 Policy Analyst FTE (PA), along with additional funding for stipends and consultation. ADM assumes the PA will be required for facilitating appointments, organizing meetings, developing and publishing meeting agendas, performing research, staffing and facilitating meetings and subcommittee meetings, outreach and engagement with experts and other additional participants as needed, and drafting the annual report. ADM estimates stipends will be paid for participation in stipends for the Commercially Sexually Exploited Children (CSEC) coordinating committee, assuming four meetings per year (assumption is consistent with previous similar work on other task forces) and a maximum of \$200 per person.

Total King County workload impact:

FY 2025 and in each FY there after: \$185,000 for 1.0 PA, which includes direct costs of \$1,600

3. The AGO Social and Health Services - Olympia Division (SHO) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing Health Care Authority (HCA). The enactment of this bill will not impact the provision of legal services to HCA because the bill mainly impacts the legal obligations for DCYF. There is no direct impact to HCA or DSHS, therefore, no costs are included in this request.

4. The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not increase or decrease the division's workload. The provisions related to the testimony of child victims would not add to CRJ's resource needs. This bill also reauthorizes CSEC, appointing the AGO as convener. Assuming this role is undertaken by the AGO ADM, this will not create a fiscal impact for CRJ. Therefore, no costs are included in this request.

5. The AGO Corrections Division (COR) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Department of Corrections (DOC). The bill concerns human and sex trafficking. Section 16 lengthens the statute of limitations for certain sex trafficking crimes, which could nominally increase the number of people in DOC custody, the increase would not likely generate any significant increase in legal work for DOC. Therefore, no costs are included in this request.

6. The AGO Government Compliance and Enforcement Division (GCE) has reviewed this bill and determined it will not

increase or decrease the division’s workload in representing the Washington State Patrol (WSP) and the State Auditor’s Office (SAO). GCE provides advice and litigation support to specific programs of WSP. This bill would not implicate any of the WSP programs for which GCE provides legal services. GCE also provides legal advice to SAO. Section 2 of this bill would require the SAO to conduct a performance audit of the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100 and publish its final report no later than December 31, 2025. However, GCE does not expect that it would result in any increase of legal advice, therefore, no costs are included in this request.

7. The AGO Labor and Industries Division (LNI) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Department of Labor & Industries (L&I). The enactment of this bill will not impact the provision of legal services to the Crime Victims Compensation Program because this change is not likely to increase the number of appeals which our office defends. The statute will broaden the number of victims eligible for Crime Victim Compensation benefits. This does not project to an increase in total applicants but is more likely to result in perhaps a higher percentage of applications being granted. Applications granted do not typically create a need for legal services for L&I. Therefore, no costs are included in this request.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	185,000	185,000	370,000	370,000
405-1	Legal Services Revolving Account	State	0	38,000	38,000	150,000	150,000
<b>Total \$</b>			0	223,000	223,000	520,000	520,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.7	0.9	1.8	1.8
A-Salaries and Wages		154,000	154,000	356,000	356,000
B-Employee Benefits		46,000	46,000	106,000	106,000
E-Goods and Other Services		23,000	23,000	58,000	58,000
<b>Total \$</b>	0	223,000	223,000	520,000	520,000

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Assistant Attorney General	129,100		0.1	0.1	0.2	0.2
Assistant Attorney General-Seattle	135,555		0.1	0.1	0.1	0.1
Management Analyst 5	95,184		0.3	0.2	0.3	0.3
Paralegal 1	69,072		0.1	0.1	0.1	0.1
Paralegal 1-Seattle	72,528		0.1	0.1	0.1	0.1
Policy Analyst - ADM	110,000		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			1.7	0.9	1.8	1.8

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Children, Youth, and Families (CYF)		38,000	38,000	150,000	150,000
Headquarters Administration (GFS) (POL)		185,000	185,000	370,000	370,000
<b>Total \$</b>		223,000	223,000	520,000	520,000

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<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: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 02/26/2024
Agency Approval: Bret Skipworth	Phone: 360-890-6657	Date: 02/26/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/27/2024



## 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.*

**2SSB 6006 H-3302.2**  
**VICTIMS OF HUMAN TRAFFICKING**  
**101 – Caseload Forecast Council**  
**February 21, 2024**

**SUMMARY**

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

- Section 1 Amends RCW 9A.40.100 by expanding the definition of the existing ranked offenses of Trafficking in the First Degree (Seriousness Level 14) and Trafficking in the Second Degree (Seriousness Level 12) on the Adult Felony Sentencing Grid.
- Section 2 Adds a new section requiring the State Auditor to conduct a performance audit of the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100 and publish its final audit report no later than December 31, 2025. This section expires January 31, 2026.
- Section 3 Adds a new section to chapter 7.68 RCW that establishes the Commercially Sexually Exploited Children Statewide Coordinating Committee, subject to appropriations. This section expires June 30, 2030.
- Section 16 Amends RCW 9A.04.080 by removing the existing statute of limitations for three sex offenses and adding two additional sex offenses to the list of offenses that can be prosecuted any time after the commission of the offense.
- Section 22 States that if any provision of the act is held invalid, the remainder of the act is not affected.
- Section 23 States the bill takes effect July 1, 2025.

**EXPENDITURE**

**Assumptions.**

None.

**Impact on the Caseload Forecast Council.**

None

**Impact Summary**

This bill:

- Extends the statute of limitations for five sex offenses; and
- Expands the definition of two existing Class A felonies.

**Impacts on prison beds and jail beds.**

Statute of Limitations

The Caseload Forecast Council has no data concerning the length of time between the commission or discovery of offenses and the commencing of prosecution, and, therefore, cannot reliably predict jail and prison bed impacts resulting from the bill. However, as the bill removes the statute of limitations for multiple sex offenses, there is the possibility that more sex offenses may be prosecuted, resulting in more convictions, which would increase the need for jail beds and prison beds.

### Expanded Definitions

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

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

### **Impacts on DOC supervision population.**

#### Statute of Limitations

All the offenses that had a changed statute of limitations under the provision of bill are sex offenses. For individuals releasing from a non-prison sentence, the community custody term may be up to one year; and for those releasing from prison, three years is required, regardless of risk to reoffend.

Given the above, any convictions based on the provisions of this bill, may increase of the DOC's Community Custody caseload.

#### Expanded Definitions

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

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

### **Impacts on local detention beds, and Juvenile Rehabilitation (JR) beds.**

#### Statute of Limitations

None.

#### Expanded Definitions

The expanded felony offenses would be considered as Category A offenses on the Juvenile Sentencing Grid (Other Offense Equivalent to an Adult Class A Felony). The offenses would be

punishable by a standard range term of between 103-129 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications) for juveniles adjudicated for the offense. Therefore, increased incidences of this offense under the provisions of the bill would likely only impact Juvenile Rehabilitation beds. There have been no juvenile adjudications for these offenses in the last three fiscal years.

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<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:

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Allison Plant	Phone: 360-596-4080	Date: 02/26/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/26/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/26/2024

## Part II: Narrative Explanation

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

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

This version of the proposed legislation establishes the Commercially Sexually Exploited Children Statewide Coordinating Committee. It also modifies the crimes of trafficking in the first and second degrees. It requires the Washington State Auditor to conduct a performance audit on fees collected for violations of trafficking crimes and modifies where collected fees must be distributed and how they must be used.

The proposed legislation is expected to have a small but indeterminate fiscal impact to the Washington State Patrol (WSP).

New Section 3 establishes the Commercially Sexually Exploited Children Statewide Coordinating Committee, subject to the availability of funds appropriated for this purpose. It states who the committee members will be, which includes a representative from the WSP. It also outlines the duties of the committee, states that the committee shall meet at least annually and report its finding and recommendations annually. This section expires June 30, 2030.

New Section 7 (2) requires that whenever there is reasonable cause to believe that a child under the jurisdiction of a juvenile justice agency has suffered commercial sexual abuse of a minor, the juvenile justice agency must use a validated assessment tool to screen the child for commercial sexual abuse of a minor and report such abuse and neglect.

Section 11 (4) states that a law enforcement agency, when it has reason to believe that a minor lacks the ability or capacity to consent may file a petition for an ex parte temporary sexual assault protection order on behalf of the minor. Neither the law enforcement agency nor the state of Washington is liable for seeking or failing to seek relief on behalf of any persons under this section.

### 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 includes a requirement for juvenile justice agencies to use a validated assessment tool. It does not detail what the assessment tool includes or how it is to be completed. As a result, we anticipate there will be a small but indeterminate fiscal impact associated with completing each assessment.

The WSP is required to have a representative on the committee established in New Section 3. As this committee is only required to meet once a year, we do not expect a significant fiscal impact from our participation.

## 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> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<b>Agency:</b> 227-Criminal Justice Training Commission
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 02/22/2024
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 02/22/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/26/2024

## 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 3(2)(j) identifies the executive director of the Washington Association of Sheriffs and Police Chiefs as a member of the commercially sexually exploited children statewide coordinating committee.

Section 3(2)(k) identifies the executive director of the Washington State Criminal Justice Training Commission or his or her designee as a member of the commercially sexually exploited children statewide coordinating committee.

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

### II. B - Cash receipts Impact

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

This bill has no cash receipt impact.

### II. C - Expenditures

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

This bill has no expenditure impact.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<b>Agency:</b> 235-Department of Labor and Industries
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

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

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State      001-1	0	0	0	115,000	131,000
<b>Total \$</b>	0	0	0	115,000	131,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Crystal Van Boven	Phone: 360-902-6982	Date: 02/22/2024
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 02/22/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 02/23/2024

## 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.

See attached.

### 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

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	0	0	115,000	131,000
<b>Total \$</b>			0	0	0	115,000	131,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services				115,000	131,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	0	0	115,000	131,000

**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.*

## Part II: Explanation

This bill extends protections and services for minor victims of sex trafficking. The bill removes the timely filing and reporting to law enforcement (LE) criteria for minor victims of sex trafficking. This is multi-agency bill also impacting DCYF and DSHS.

2SSB 6006 2S AMH is different from 2SSB 6006 in that it:

- No changes to portion of the bill impacting L&I, Part III Section 15.

### II. A – Brief Description of What the Measure Does that Has Fiscal Impact

Part III Section 15:

- Amends RCW 7.68.060 (6)(b) by eliminating the timely filing requirements for minor victims of sex trafficking or commercial sex abuse of a minor.

Section 23 sets and effective date of July 1, 2025.

### II. B – Cash Receipt Impact

This bill will have an impact to federal revenue received in the General Fund. However, due to the following, L&I cannot estimate the amount at this time:

- The federal funding formula provides funding at 75 percent for state spending from the fiscal year three years prior.
  - This can also be adjusted if federal funding is reduced at the federal level.
- As federal funding increases, federal expenditures also increase which in turn reduces the amount of state spending, which reduces the amount of federal funding.
- The formula is based on a Federal Fiscal Year.
- The federal formula also requires recovery costs, actual salary and benefit costs, for staff who work in collections.

### II. C – Expenditures

#### Appropriated – Operating Costs

This bill increases expenditures to the General Fund, fund 001. The following assumptions were used to estimate the resources requested to implement this bill.

**Crime Victims Compensation Benefits**

Section 15 RCW 7.68.060 (6)(b) eliminates the timely filing requirements for minor victims of sex trafficking or commercial sex abuse of a minor. In FY 22, a combined 15 sexual assault claims filed by minors were denied for being untimely. Assuming these claim were potentially trafficking claims. In FY 23 the average cost for mental health services for child SA claims was \$1,666. Assuming a modest 5% in the cost of medical/MH services and the claims to increase a modest 2%, makes the number of the average number of claims now allowed is 30 per FY over four FYs. The average cost per claim will rise to \$2,078 for a total cost per FY \$61,316. This is an expected cost of \$245,466 over the next four fiscal years beginning FY 2026.

FY	Claims increased 2% each year from 52	Avg Cost increased 5% each year from 1556	Average amount paid
2026	29	\$ 1,929.00	\$ 55,941
2027	29	\$ 2,025.00	\$ 58,725
2028	30	\$ 2,127.00	\$ 63,810
2029	30	\$ 2,233.00	\$ 66,990
<b>Total</b>	<b>118</b>	<b>\$ 8,314.00</b>	<b>\$ 245,466</b>
<b>Average of 4 years</b>	<b>30</b>	<b>\$ 2,078.50</b>	<b>\$ 61,316</b>

**Part IV: Capital Budget Impact**

None.

**Part V: New Rule Making Required**

None.



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<b>Agency:</b> 307-Department of Children, Youth, and Families
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-Federal 001-2		11,000	11,000	32,000	32,000
<b>Total \$</b>		11,000	11,000	32,000	32,000

### 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
<b>Account</b>					
General Fund-State 001-1	0	185,000	185,000	414,000	414,000
General Fund-Federal 001-2	0	11,000	11,000	32,000	32,000
<b>Total \$</b>	0	196,000	196,000	446,000	446,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Michael Campbell	Phone: 5096544940	Date: 02/26/2024
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 02/26/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/27/2024

## 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 of 2SSB 6006 – 2H AMH CSJR H 3022.2 to 2SSB 6006

2SSB 6006 – 2H AMH CSJR H 3022.2

Section 1: Modifies the crimes of Trafficking in the first and second degrees.

Section: 3: Subject to availability of funds, reestablishes the Commercially Sexually Exploited Children Statewide Coordinating Committee that includes the Secretary of the Department of Children, Youth and Families (DCYF) or their designee. This committee is to meet at least once annually. This section expires June 30, 2030.

Section 22: states that if any provision of this act or the application thereof is held invalid, the remainder of the act or the application of the provisions to other persons or circumstances is not affected.

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2SSB 6006

Section 4(5): provides that the definition of “dependent child” includes any child any child who is a victim of trafficking, sex trafficking, and severe forms of trafficking, when the parent is involved in the trafficking, facilitating the trafficking, or should have known that the child is being trafficked. Was previously section 1.

Section 5(1)1): Adds to the definition of "abuse or neglect" trafficking, sex trafficking or severe forms of trafficking. Was previously section 2.

Section 7(1): Requires the Department must use a validated screening tool to screen for a child for commercial sexual abuse if a report of abuse and neglect alleges commercial sexual abuse of a minor. Was previously section 4.

Section 8(4): The substitute bill requires the Department of Children Youth and Families (DCYF) to make recommendations to the Legislature about the types of services that need to be offered to children who have been identified by a state or local agency as being a victim of either sex trafficking or severe forms of trafficking in persons described under the federal Trafficking Victims Protection Act of 2000, 22 U.S.C. Sec. 7101 et seq. Same as previous version. Was previously section 5.

Section 8(5) For children identified as victims of sex trafficking or other forms of severe trafficking in person, this section requires DCYF to assess and offer services to dependent children as described under 13.34.030; Part (b) adds that DYCF may assess and offer services to children who have not been found dependent. Was previously section 5(4).

Section 11(3): Allows for DCYF to file a temporary ex parte petition for Sexual Assault Protection Order (SAPO) on behalf of a minor when it has reason to believe that a minor lacks the ability or capacity to consent, on behalf of the minor. The original bill allows DCYF to petition for SAPO with permission of the minor. Was previously section 8(3).

Section 20 The effective date is July 1, 2025. Was previously section 23.

### 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.*

DCYF assumes Title VI-E reimbursement for FY 25 of \$11,000 and FY 26 of \$16,000 and ongoing.

### 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.*

Total Cost - FY 25 \$196,000 (\$185,000 GF-S)  
FY 26 \$223,000 (\$207,000 GF-S)

This bill impacts children and youth who are victims of sex trafficking, including commercially sexually exploited children (CSEC), and labor trafficking. DCYF assumes that there may be an increase in youth being screened for intakes and potentially an additional number of youth entering into out of home placements with DCYF child welfare.

DCYF estimates total costs for this bill based on the estimated, current CSEC population and may request funding in future budgets once data regarding labor trafficking and JR populations are available.

### Section 3

DCYF believes this section can be absorbed within existing resources.

### Section 4(5) and Section 5(1)

#### Child Welfare (CW) costs:

DCYF assumes there will be increased intakes and calls for service for potential CSEC and labor trafficking victims. DCYF assumes that any additional out-of-home placements under the bill would be absorbed in the forecast. DCYF further assumes that some of the CSEC youth entering into dependency may need additional case management from social workers. DCYF may need to request additional resources as DCYF learns the impacts of this legislation once it is enacted.

#### Juvenile Rehabilitation (JR) cost:

One (1) FTE and \$146,000 (\$143,000 GF-S) beginning in FY25.

JR will require one (1) FTE Program Specialist 4 position to implement the validated DCYF screening tool (including training) and then to continue Quality Assurance work.

#### FY 25

Total \$145,000 (\$142,000 GF-S) and then ongoing thereafter.

#### Missing and Exploited Youth (MEY) Cost:

If DCYF is only screening and offering services to dependent youth, DCYF estimates that in FY23, this would have equated to 57 youth. DCYF estimates that the new screening could take up to one hour each and that the increased workload would be able to be absorbed into current resources.

There would be an INDETERMINATE cost if DCYF were to screen and offer services to all non-dependent youth that DCYF may learn about or are referred to DCYF. The estimates below are for resources necessary to assess, with the validated screening tool, and offer services to an unknown number of additional CSEC and labor trafficked youth who may be referred to DCYF. For illustrative purposes, DCYF would estimate a need for:

Seven (7) FTE and \$1,083,000 (\$877,000 GF-S) beginning in FY25.

These staff would be posted regionally to meet the requirements of the bill. Six (6) FTE- SSS3 for the potential increase of

intakes to do screenings, assessments, and offer services to youth as needed. These FTE would also assist in coordinating sexual assault protection orders (SAPO) with the AGO and youth. One (1) SSS5 to supervise the additional SSS3 staff.

Six (6) FTE – Social Service Specialist 3 (SSS3) for potential youth entering into CW and dependencies from increased screening rates.  $6 \text{ SSS3} \times \$152,000 = \$911,000$  (\$738,000 GF-S). One (1) FTE- SSS5 to supervise additional staff.  $1 \text{ SSS5} \times \$172,000 = \$172,000$  (\$139,000 GF-S).

#### Licensing Division (LD) Cost:

DCYF assumes that the bill could lead to an impact on the Licensing Division (LD). The LD could have an increase in licensing of homes and to provide LD/CPS investigations. DCYF believes there could be an INDETERMINATE cost for LD. DCYF may need to request additional resources as DCYF learns the impacts of this legislation. For illustrative purposes, one Social Service Specialist 3 costs \$152,000 (\$123,000 GF-S).

One (1) FTE – Social Service Specialist 3 (SSS3)  $\text{SSS3} \times \$152,000 = \$152,000$  (\$123,000 GF-S).

#### Section 7(1)

Currently DCYF does screenings with a non-validated tool for CSEC youth. DCYF does not have a tool for labor trafficking.

#### Validated Assessment costs:

DCYF would need to research a tool that is validated to meet the bills requirements.

The tool used to cost model this note (CSE-IT tool by West Coast Children’s Clinic tool) only meets half of the bill’s requirement. It meets the CSEC requirement but does not meet the labor trafficking portion requirements of this bill. This screening tool was named as a cost estimate purpose only and may not be the tool used by DCYF.

Purchase of Goods and Services (object E) of a third-party validated assessment tool for screening for CSEC has two cost points. Yearly cost of the tool and training by the tool developer.

The annual subscription fee for a Public Agency with 5,000 or more clients served annually is \$9,500 per year. This will be an ongoing cost.

Training costs vary depending on the number of staff being trained. The cost for the Hotline & Intake track is \$3500 for up to 50 staff. The training is three hours per staff. Training costs for additional staff is \$140 per staff.

#### FY 25

Subscription fee: \$9,500 (\$7,600 GF-S)  
Training fees: \$3,500 (\$2,800 GF-S)  
Total: \$13,000 (\$10,400 GF-S)

#### FY 26

On-going Subscription fee: \$9,500 (\$7,600 GF-S)

Section 11(3)

This section of the bill allows for DCYF to file a petition for Sexual Assault Protection Order (SAPO) on behalf of a minor when it has reason to believe that a minor lacks the ability or capacity to consent, on behalf of the minor. The Attorney General Office has estimated the costs below based on the estimated 26 youth.

AGO costs:

DCYF will be billed for non-King County and King County rates:

FY 2025: \$38,000 for 0.1 non-King County Assistant Attorney General FTE (AAG), 0.1 King County AAG, 0.1 non-King County Paralegal 1 FTE (PL1), 0.1 King County PL1, which includes direct litigation costs of \$1,600

FY 2026 and in each FY thereafter: \$75,000 for 0.2 non-King County AAG, 0.1 King County AAG, 0.1 non-King County PL1, 0.1 King County PL1, which includes direct litigation costs of \$3,200

FY 25 \$38,000 (\$33,000 GF-S)

FY 26 \$75,000 (\$65,000 GF-S) and on-going

**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	185,000	185,000	414,000	414,000
001-2	General Fund	Federal	0	11,000	11,000	32,000	32,000
<b>Total \$</b>			0	196,000	196,000	446,000	446,000

**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		80,000	80,000	160,000	160,000
B-Employee Benefits		33,000	33,000	66,000	66,000
C-Professional Service Contracts					
E-Goods and Other Services		53,000	53,000	174,000	174,000
G-Travel		2,000	2,000	4,000	4,000
J-Capital Outlays		7,000	7,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		21,000	21,000	42,000	42,000
9-					
<b>Total \$</b>	0	196,000	196,000	446,000	446,000

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Program Specialist 4	80,464		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			1.0	0.5	1.0	1.0

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

<b>Program</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>2023-25</b>	<b>2025-27</b>	<b>2027-29</b>
Children and Families (010)		51,000	51,000	170,000	170,000
Juvenile Rehabilitation (020)		124,000	124,000	234,000	234,000
Program Support (090)		21,000	21,000	42,000	42,000
<b>Total \$</b>		196,000	196,000	446,000	446,000

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

There would be rule making required to change the definition of a dependent (section 1) and child abuse and neglect (section 2).

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<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:

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: DeAnn Peterson	Phone: (360) 725-8428	Date: 02/27/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 02/27/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/27/2024

## 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.*

An ACT relating to supporting victims of human trafficking and sexual abuse by amending RCW 26.44.020, 26.44.030, 74.13.031, 7.105.100, 7.105.110, 7.105.225, 7.105.405, 7.105.500, 7.68.060, 9A.44.120, 9A.44.150, 9A.82.100, 10.97.130, 42.56.240, reenacting and amending RCW 13.34.030, 7.105.010, 9A.04.080, adding new sections to chapter 26.44 RCW, prescribing penalties, and providing an effective date.

2SSB 6006 H-3302.2 adds:

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

Previous bill language:

Section 16 amends RCW 9A.04.080 by removing the existing statute of limitations for three sex offenses and adding two additional sex offenses to the list of offenses that can be prosecuted any time after the commission of the offense.

Section 22 states that if any provision of the act is held invalid, the remainder of the act is not affected.

Section 23 states the bill takes effect July 1, 2025.

### II. B - Cash receipts Impact

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

### 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 less than \$50,000 per Fiscal Year (FY).

The Caseload Forecast Council (CFC) has no data concerning the length of time between the commission or discovery of offenses and the commencing of prosecution, and, therefore, cannot reliably predict jail and prison bed impacts resulting from the bill. However, as the bill removes the statute of limitations for multiple sex offenses, there is the possibility that more sex offenses may be prosecuted, resulting in more convictions, which would increase the need for jail beds and prison beds.

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

All the offenses that had a changed statute of limitations under the provision of bill are sex offenses. For individuals



releasing from a non-prison sentence, the community custody term may be up to one year; and for those releasing from prison, three years is required, regardless of risk to reoffend.

Given the above, any convictions based on the provisions of this bill, may increase of the Department of Correction's (DOC's) Community Custody caseload.

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

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

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

#### ASSUMPTIONS:

1) The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.

2) We assume a Direct Variable Cost (DVC) of \$7,630 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services' direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with the Office of Financial Management, Senate, and House staff each legislative session.

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

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

5) We assume additional impacts will result when ADP (Average Daily Population) caseload changes in either prison or community and resources will be necessary. The DOC will "true up" our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

## **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> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking	<b>Agency:</b> 350-Superintendent of Public Instruction
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 02/25/2024
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 02/25/2024
OFM Review: Brian Fechter	Phone: (360) 688-4225	Date: 02/25/2024

## Part II: Narrative Explanation

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

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

Section 3 (New Section):

Section 3(1): Subject to the availability of funds appropriated for this purpose, establishes the commercially sexually exploited children statewide coordinating committee to facilitate a statewide coordinated response to the commercial sexual exploitation of children, youth, and young adults 24 years old and younger by relying on the voices of those with lived experience, qualitative and quantitative data, and the collective expertise of youth-serving professionals and youth policy experts, and with the goal of increasing support, protections, and resource identification in areas of prevention and intervention.

Section 3(2):

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

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

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

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

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

### II. B - Cash receipts Impact

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

No cash receipts impact anticipated.

### II. C - Expenditures

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

Section 3(1) is subject to the availability of amounts appropriated for this purpose, establishes the Commercially Sexually Exploited Children Statewide Coordinating Committee and lists the superintendent of public instruction or his or her designee as a required member. The purpose of the committee is to facilitate a statewide coordinated response to the commercial sexual exploitation of children, youth, and young adults 24 years old and younger by relying on the voices of those with lived experience, qualitative and quantitative data, and the collective expertise of youth-serving professionals and youth policy experts, and with the goal of increasing support, protections, and resource identification in areas of prevention and intervention.

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

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

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

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

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

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

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

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

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

No capital budget impact anticipated.

**Part V: New Rule Making Required**

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

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 6006 2S SB 6006-S2 AMH CSJR H-3302.2	<b>Title:</b> Victims of human trafficking
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**Part I: Jurisdiction**—Location, type or status of political subdivision defines range of fiscal impacts.

**Legislation Impacts:**

- Cities:** Approximately \$78,656 for local law enforcement training on modified criminal offenses; indeterminate law enforcement, jail costs as a result of modified criminal offenses; indeterminate increased costs for cities that are not on annual audit cycles
- Counties:** Approximately \$26,988 for local law enforcement training on modified criminal offenses; indeterminate law enforcement prosecution, public defense, jail costs as a result of modified criminal offenses
- Special Districts:**
- Specific jurisdictions only:**
- Variance occurs due to:**

**Part II: Estimates**

- No fiscal impacts.
- Expenditures represent one-time costs:** Approximately \$105,644 for local law enforcement training on modified criminal offenses
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:** Number of additional incidents of modified criminal offenses that may occur; time required for city staff to prepare and provide information for new audits; fees levied and collected by courts

**Estimated revenue impacts to:**

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

**Estimated expenditure impacts to:**

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City				78,656	
County				26,988	
<b>TOTAL \$</b>				105,644	
<b>GRAND TOTAL \$</b>					<b>105,644</b>

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: 02/26/2024
Leg. Committee Contact: Michelle Rusk	Phone: 360-786-7153	Date: 02/21/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/26/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/27/2024

## **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 government impact of 2SSB 6006 AMH CSJR H-3302.2, comparing it to the impact of 2SSB 6006.

#### **CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The amended second substitute bill would add several sections not included in previous bill versions.

Section 1 would modify the existing definitions of the class A felony offenses of trafficking in the first and second degree.

Section 2 would require the state auditor to conduct a performance audit of the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100.

Section 3 would establish the Commercially Sexually Exploited Children Statewide Coordinating Committee.

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

Section 1 of the proposed legislation would amend RCW 9A.40.100, modifying the existing definitions of the class A felony offenses of trafficking in the first and second degree. The modifications in this section would add enticing, isolating, soliciting or maintaining another person to one of the conditions for a person to be guilty of these offenses, and would add definitions for coercion, kidnapping, maintaining and sexual motivation for the purposes of this section.

Finally, the modifications in section 1 would change the requirements for the use of revenues from fees under this section from a requirement that at least 50% of these fees be spent on prevention, to a requirement that 45% be spent on prevention, 45% be spent on services for victims of trafficking crimes, and 10% be retained by clerks of the courts for their official services.

Section 2 would require the state auditor to conduct a performance audit of the collection and use of mandatory fees assessed pursuant to RCW 9A.40.100. This audit would be required to determine whether jurisdictions are assessing fees for trafficking and using the resulting revenue in a manner consistent with statutory requirements, and make recommendations for corrective action if fees are not being assessed and dispensed according to the applicable requirements.

The auditor would be able to conduct the audit as a sample if needed, and the final audit report would be required to be published no later than December 31, 2025.

Section 7 would add a new section to chapter 26.44 RCW, requiring juvenile justice agencies to use a validated assessment tool to screen children for commercial sexual abuse of a minor (CSAM) and report such abuse and neglect pursuant to RCW 26.44.030 if the agency has reasonable cause to believe a child in its custody has suffered CSAM.

Section 11 would amend RCW 7.105.110, creating the local option for law enforcement agencies to file a petition for an ex parte temporary sexual assault protection order on behalf of a minor.

Section 16 would amend RCW 9A.04.080, removing the statute of limitations on trafficking if the victim is under 18, CSAM, promoting CSAM, promoting travel for CSAM and permitting CSAM.

Section 23 states that the proposed legislation would take effect on July 1, 2025.



## 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.*

### CHANGE IN EXPENDITURE IMPACT BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The proposed legislation would create additional indeterminate local government costs associated with the audit requirements in section 2 and the expanded definitions of trafficking in the first and second degree. These costs are discussed in more detail below.

### EXPENDITURE IMPACT OF CURRENT BILL:

The proposed legislation would require \$105,644 in one-time costs, in addition to other indeterminate local government expenditure impacts.

### LAW ENFORCEMENT TRAINING COSTS:

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the elimination of the statute of limitations for multiple sex offenses. WASPC estimates that between five and 15 minutes of training would be required per law enforcement officer. Taking the midpoint of this range, the Local Government Fiscal Note Program estimates that an average of 10 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$78,656 for cities and \$26,988 for counties, for a total one-time cost to local governments of \$105,644.

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

#### Cities:

6,647 officers X (1/6) hours X \$71 average hourly salary plus benefits and overhead = \$78,656

#### Counties:

2,249 officers X (1/6) hours X \$72 average hourly salary plus benefits and overhead = \$26,988

#### Total:

\$78,656 + \$26,988 = \$105,644

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

WASPC indicates that sections 7 and 11 of the proposed legislation would have no impact on local law enforcement expenditures.

### JAIL COSTS:

According to the Washington State Caseload Forecast Council's (CFC) fiscal note for this bill, removing the statute of limitations from multiple sex offenses could increase demand for both jail and prison beds. CFC cannot predict what the magnitude of this increased demand might be, however, so the associated impact on local government expenditures is indeterminate.

The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost of occupying a jail bed is \$145.

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

As a result of removing the statute of limitations from multiple sex offenses and expanding the definitions of trafficking in the first and second degree, local law enforcement, prosecutors and public defenders could incur costs from processing additional incidents of these offenses. It is unknown how many additional incidents of these offenses may be processed, however, so the associated impact on local government expenditures is indeterminate.

The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the combined law enforcement, prosecution and public defense costs of processing the sex offenses listed in the proposed legislation range from \$5,711 to \$15,725, and the same costs for processing a comparable offense to trafficking is \$35,269.

#### AUDIT COSTS:

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

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

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

### 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.*

#### CHANGES IN REVENUE IMPACT BETWEEN THIS VERSION AND PREVIOUS BILL VERSIONS:

The proposed legislation would change the required uses for fees collected for trafficking offenses. This change would have an indeterminate impact on local government revenues, discussed in more detail below.

#### REVENUE IMPACT OF CURRENT BILL:

The legislation would change the dispersal of fees collected for human trafficking crimes. Under current law, at least 50% of the fees collected must be used by the jurisdiction in which the offense occurred for prevention, with the remainder required to be used for efforts to decrease the commercial sale of sex. Under the proposed bill, 45% of the collected fees must be spent on victim services, and 45% on local efforts to decrease the commercial sale of sex, prevention, and rehabilitative services. The remaining 10% would be retained by court clerks for their official services.

The number of convictions for the crime of trafficking for the last five years is as follows, from the Department of Commerce reports "Criminal Penalty Fees Related to Sexual Exploitation Crimes" 2019-2023:

FY 2019 - 1 conviction  
FY 2020 - 7 convictions  
FY 2021 - 9 convictions  
FY 2022 - 0 convictions  
FY 2023 - 2 convictions

The penalty for a conviction of human trafficking includes a fee of \$10,000. Information about the fees levied and collected by courts is not available. As an example, if a court collected \$20,000 in fees from offenders convicted of human trafficking crimes, currently the full amount would be used by the local jurisdiction on efforts to decrease the commercial sale of sex and prevention. Under the proposed bill, this amount would change to \$18,000, and a greater proportion of it would be allocated to victim services. Ten percent, or \$2,000, would be retained by the county clerk.

Please see the fiscal note of the Administrative Office of the Courts for a discussion of revenue impacts related to the proposed change in fee dispersal.

SOURCES:

Crime in Washington Report, 2022

Local government fiscal note for SHB 2076, 2024

Local Government Fiscal Note Program Criminal Justice Cost Model, 2024

Office of the State Auditor

Washington Association of County Officials

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council