

Multiple Agency Fiscal Note Summary

Bill Number: 1317 HB	Title: Sentences/offenses before 21
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Estimated Cash Receipts

NONE

Agency Name	2025-27		2027-29		2029-31	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	Fiscal note not available											
Office of the Governor	1.0	393,000	393,000	393,000	1.0	388,000	388,000	388,000	1.0	388,000	388,000	388,000
Office of Attorney General	Fiscal note not available											
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	Fiscal note not available											
Total \$	1.0	393,000	393,000	393,000	1.0	388,000	388,000	388,000	1.0	388,000	388,000	388,000

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2025-27			2027-29			2029-31		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Office of the Governor	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	Fiscal note not available								
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	Fiscal note not available								
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
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

NONE

Prepared by: Danya Clevenger, OFM	Phone: (360) 688-6413	Date Published: Preliminary 2/ 3/2025
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Individual State Agency Fiscal Note

Bill Number: 1317 HB	Title: Sentences/offenses before 21	Agency: 075-Office of the Governor
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
Account					
General Fund-State 001-1	199,000	194,000	393,000	388,000	388,000
Total \$	199,000	194,000	393,000	388,000	388,000

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: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Kathy Cody	Phone: (360) 480-7237	Date: 01/20/2025
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 01/20/2025
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 01/23/2025

Part II: Narrative Explanation

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

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

The following sections are anticipated to result in increased requests for assistance from the Office of the Corrections Ombuds. The OCO expects an increase in incarcerated individuals seeking OCO assistance to address perceived unjust disciplinary decisions imposed by the Washington Department of Corrections. These new and unique requests will require in-depth research and analysis for each investigation.

Sec. 3. RCW 9.94A.570 and 2000 c 28 s 6 are each amended to read as follows:

(3) A persistent offender may be released from confinement by the board under RCW 9.94A.730 or 10.95.030(2).

Sec. 6. RCW 9.94A.730 and 2024 c 118 s 4 are each amended to read as follows:

1 (b) Notwithstanding any other provision of law, any person convicted of the crime of murder in the first degree committed prior to the person's 21st birthday may petition the indeterminate sentence review board for early release after serving no less than 20 years total confinement.

Sec. 7. RCW 10.95.030 and 2024 c 118 s 7 are each amended to read as follows:

(2) C. Notwithstanding any other provision of law, any person convicted of one of more crimes committed prior to the person's 21st birthday may petition the indeterminate sentence review board for early release after serving no less than 25 years total confinement, provided the person has not been convicted for any crime committed subsequent to the person's 21st birthday, the person has not committed a disqualifying serious infraction as defined by the Department of Corrections in the 12 months prior to filing the petition for early release, and the current sentence was not imposed under RCW 9.94A.507.

Sec. 9. Sections 2(2), 3, 4, 6, and 7(2)(c) of this act apply retroactively to persons incarcerated on the effective date of this section, regardless of the date of the offense or conviction.

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 enactment of this bill will increase the workload for the OCO through an increase in requests for assistance. These new and unique requests will require in-depth research and analysis for each investigation. The OCO expects an increase in incarcerated individuals seeking OCO assistance to address perceived unjust disciplinary decisions imposed by the Washington Department of Corrections.

OCO assumes additional impacts may result, depending on the volume and nature of requests for assistance received. At a minimum, the OCO will need one (1) FTE Program Specialist to respond to the increase in complex investigations.

Program Specialist at \$103,000 + benefits, goods and services, travel, and equipment expenses

One (1) Program Specialist will be responsible for the following ongoing workload assumptions:

- Investigating and reporting on specific and systemic issues relating to actions and inactions of the WADOC
- Monitoring and reporting on WADOC's compliance with applicable state and federal legal requirements
- Writing and publishing reports

- Assisting with the annual report to the Governor and the legislature in compliance with RCW 43.06C

The OCO assumes additional legal services from the AGO will be required as a result of this bill. This bill may increase the volume of subpoena of records that the OCO will receive related to litigation against the DOC from incarcerated individuals and/or their family members. This would increase the amount of AGO hours needed to defend the OCO's confidentiality statute. The impact of such litigations is unknown as the number and complexity of cases filed cannot be predicted, but OCO assumes the need for additional legal services will average five (5) hours monthly and will be ongoing. Estimate of \$12,500.00.

Goods and services: Based on average employee costs, the Office requires ongoing funding for supplies and materials, communications and telecommunications services, lease space, training, software licensing and maintenance at \$3,000 per year, per FTE.

Travel: The total annual travel request for One (1) Program Specialist is \$13,200.

The OCO has unique travel needs because the population served is incarcerated. Given the travel requirements of a program specialist, the OCO assumes additional travel costs including a permanently assigned vehicle from DES's Motor Pool with an estimated \$600.00 a month expense (\$600.00 x 12 = \$7,200). In addition, to accommodate frequent overnight travel to prisons and reentry centers around the state, current travel allotment per OCO employee is \$6,000 /year.

Capital Outlays: The Office requires one-time funding for purchasing equipment for working remotely at \$5,000 per FTE.

Shared Service Costs: The Office of Financial Management provides administrative support for the Office of Financial Management, Office of the Governor, and Office of Independent Investigations. These services include IT support, budget and accounting services, facilities support, and human resource assistance. To fund these shared services, each budgeted FTE is assessed an ongoing cost of \$30,000 and 0.22 of an FTE. Based on the average salary for those providing these services, we estimate the cost for a new FTE at \$140,000 per year including salary, benefits, equipment, and support costs.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
001-1	General Fund	State	199,000	194,000	393,000	388,000	388,000
Total \$			199,000	194,000	393,000	388,000	388,000

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	103,000	103,000	206,000	206,000	206,000
B-Employee Benefits	32,000	32,000	64,000	64,000	64,000
C-Professional Service Contracts					
E-Goods and Other Services	16,000	16,000	32,000	32,000	32,000
G-Travel	13,000	13,000	26,000	26,000	26,000
J-Capital Outlays	5,000		5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	30,000	30,000	60,000	60,000	60,000
Total \$	199,000	194,000	393,000	388,000	388,000

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 2026	FY 2027	2025-27	2027-29	2029-31
Program Specialist	103,000	1.0	1.0	1.0	1.0	1.0
Total FTEs		1.0	1.0	1.0	1.0	1.0

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

Bill Number: 1317 HB	Title: Sentences/offenses before 21	Agency: 101-Caseload Forecast Council
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 01/17/2025
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 01/17/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/19/2025

Part II: Narrative Explanation

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

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

See attached.

II. B - Cash receipts Impact

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

None.

II. C - Expenditures

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

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

HB 1317

SENTENCES BEFORE AGE 21

101 – Caseload Forecast Council
January 17, 2025

SUMMARY

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

- Section 1 Amends RCW 9.94a.510 (Adult Felony Sentencing Grid) by changing the standard for Aggravated Murder at Seriousness Level XVI to reference the sentence established in RCW 10.95.030.
- Section 2 Amends RCW 9.94A.540 (Mandatory Minimum Terms) by changing the mandatory minimum term of 25 years for individuals convicted of Aggravated First Degree Murder when committed prior to their 18th birthday by extending the age to be prior to their 21st birthday and removes the minimum term of 25 years and states it must be consistent with RCW 10.95.030. Additionally, adds an exemption for release restrictions during the minimum term to include individuals approved for release by the board under RCW 9.94A.730.
- Section 3 Amends RCW 9.94A.570 (Persistent Offenders) by removing language about the penalty of death for Aggravated Murder sentences. Authorizes the possibility of release from confinement by an individual with a persistent offender sentence by the board under RCW 9.94A.730 or 10.95.030(2).
- Section 4 Amends RCW 9.94A.728 (Release prior to expiration of sentence) by amending the list of exceptions for release prior to expiration of sentence for individuals serving a sentence with a commitment to the Department of Corrections (DOC) to include releases authorized under RCW 10.95.030(2). Additionally, extends the date for crimes committed prior to the individual's 18th birthday to their 21st birthday.
- Section 5 Amends RCW 9.94A.729 (Earned Release Time) making a technical correction.
- Section 6 Amends RCW 9.94A.730 (Early release for persons convicted of one or more crimes committed prior to 18th birthday) by changing the eligibility for individuals to petition the Indeterminate Sentence Review Board (Board) for early release. For a petition that could be made after serving 20 years of confinement, the bill amends to 15 years of confinement. Additionally, changes the requirement that to petition the Board for early release, the person must have committed the offense prior to their 21st birthday, rather than prior their 18th birthday. Adds that a person cannot petition during the current sentence under RCW 9.94A.540(1)(a), the minimum term of 20 years for the crime of Murder in the First Degree.
- Section 6 Additionally adds requirements for a minimum of 20 years of confinement for persons petitioning for release for Murder in the First Degree, and 25 years for Aggravated Murder in the First Degree.
- Section 7 Amends RCW 10.95.030 (Sentences for aggravated first degree murder) to include language stating that any person convicted of Aggravated Murder in the First Degree for an offense committed when the person was at least 18 years old but less than 21, shall be sentenced to a maximum of life and a minimum of 25 years total

confinement, if the court determines specified mitigating factors exist. Adds language stating that any person convicted of one or more crimes (Aggravated Murder) committed prior to the person's 21st birthday can petition the Board for early release after serving no less than 25 years of total confinement and includes some restrictions for petitions.

Section 7 Additionally removes language specific the petition process and references the provisions of early release under the provisions of RCW 9.94A.730 (2) through (8).

Section 8 Repeals RCW 10.95.035 (Return of persons to sentencing court if sentenced prior to June 1, 2014, under this chapter or any prior law, for a term of life without the possibility of parole for an offense committed prior to 18th birthday).

Section 9 States Sections 2(2), 3, 4, 6, and 7(2)(c) of this act apply retroactively to persons incarcerated on the effective date of this section, regardless of the date of the offense or conviction.

Section 10 States the act does not create any right or entitlement to release from confinement.

EXPENDITURES

Impact on the Caseload Forecast Council

None.

Impact Summary

- Allows certain individuals convicted of Aggravated Murder in the First Degree to be released from confinement after serving a minimum of 25 years; and
- Amends procedures for the petition for release of certain individuals by raising the age of eligibility to under age 21 and reduces the time of confinement that must be served prior to early release to a minimum of 15 years.

The provisions in this bill are both prospective and retrospective in nature. The Caseload Forecast Council (CFC) is equipped to supply only prospective analyses and, as such, defers to the DOC for the retrospective provisions of the bill. Additionally, the CFC's prospective analyses estimate bed impacts for a 20-year period. Since the prospective provisions of the bill require individuals sentenced for aggravated first degree murder committed under the age of 21 to serve an absolute minimum term of 25 years in total confinement, and individuals sentenced for one or more crimes committed under the age of 21 to serve an absolute minimum term of 15 years in total confinement, any bed impact resulting from the bill is beyond the CFC's analysis period.

Impacts on Prison beds

In Fiscal Year 2024, there were a total of twelve sentences for Aggravated Murder in the First Degree. Of those, there was one sentence for Aggravated Murder in the First Degree where the person was 18-21 years of age at the time of the offense, receiving a sentence of life without parole.

There were 26 sentences (24 standard prison sentences and 2 determinate-plus sentences) of 15 years or greater for individuals who were 18-21 years of age at the time of the offense. Some

individuals may release prior to serving 15 years, depending on the amount of earned time awarded and the sentence length. Any early release under the provisions of the bill would reduce average daily population of prison beds.

Impacts on Jail beds

This bill has no impact on jail beds.

Impact on Supervision Caseload

Anyone released by the Board under the provisions of this bill could be supervised for life. The Board has authority to set the period of time an individual released by Board shall be supervised by DOC. While CFC has no information about how many individuals would be released by the Board under the provisions of the bill, any releases may result in an increased need for DOC community supervision resources.

Impacts on local and Juvenile Rehabilitation beds

This bill has no impact on local detention or JR beds.

Individual State Agency Fiscal Note

Bill Number: 1317 HB	Title: Sentences/offenses before 21	Agency: 307-Department of Children, Youth, and Families
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Part I: Estimates

☒ **No Fiscal Impact**

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Preparation: Ashley McEntyre	Phone: 2533064501	Date: 01/17/2025
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 01/17/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/19/2025

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.

HB 1317 is an act relating to persons serving long sentences for offenses committed prior to reaching 21 years of age.

Section 2(1)(e) amends RCW 9.94A.510 to change the age in which the offender committed the murder from 'eighteenth birthday' to '21st birthday' and removes sentencing language 'not less than twenty-five years' and replaces with 'that is consistent with RCW 10.95.030'.

Section 2(2)(d) is added to allow early release for offenders otherwise ineligible for any form of early release when approved by the board under RCW 9.94A.730.

Section 3(1) amends RCW 9.94A.570 to remove language referring to authorization by RCW 10.95.030 of the death penalty for the crime of aggravated murder in the first degree.

Section 3(2) amends RCW 9.94A.570 to state that a persistent offender is not eligible for any form of early release, as defined under 9.94A.728.

Section 3(3) is added to state that a persistent offender may be released from confinement by the board under RCW 9.94A.730 or 140.95.030(2).

Section 4(1)(k) is amended to change the age in which the offender is convicted from 'eighteenth birthday' to '21st birthday'.

Section 6(1)(a) is amended to change the age in which the offender is convicted from 'eighteenth birthday' to '21st birthday' and change the minimum length of confinement for petitioning for early release from '20 years' to '15 years'.

Section 6(1)(b) is added to allow any person convicted of the crime of murder in the first degree committed prior to the person's 21st birthday to petition the indeterminate sentence review board for early release after serving no less than 20 years of total confinement, provided the person has not been convicted for any crime committed subsequent to the person's 21st birthday, the person has not committed a disqualifying serious infraction as defined by the Department of Corrections in the 12 months prior to filing the petition for early release, and the current sentence was not imposed under RCW 9.94A.507.

Section 6(1)(c) is added to allow any person convicted of the crime of aggravated first degree murder committed prior to the person's 21st birthday to petition the indeterminate sentence review board for early release after serving no less than 25 years of total confinement, provided the person has not been convicted for any crime committed subsequent to the person's 21st birthday, the person has not committed a disqualifying serious infraction as defined by the Department of Corrections in the 12 months prior to filing the petition for early release, and the current sentence was not imposed under RCW 9.94A.507.

Section 7(2)(a)(iii) is added to state that any person convicted of the crime of aggravated first degree murder for an offense committed when the person is at least 18 years old but less than 21 years old shall be sentenced to a maximum term of life imprisonment and a minimum term of total confinement of no less than 25 years if the court determines that the mitigating factors that account for the diminished culpability of youth.

Section 7(2)(c) is added to any person convicted of one or more crimes committed prior to the person's 21st birthday may petition the indeterminate sentence review board for early release after serving no less than 25 years of total confinement, provided the person has not been convicted for any crime committed subsequent to the person's 21st birthday, the person

has not committed a disqualifying serious infraction as defined by the department of corrections in the 12 months prior to filing the petition for early release, and the current sentence was not imposed under RCW 9.94A.507.

Section 7(2)(f-g) are removed.

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.

No fiscal impact.

The Department of Children, Youth, and Families assumes that any young person that would be affected by this act in the care of Juvenile Rehabilitation through the Youthful Offender Program would transfer to the Department of Corrections before serving the minimum terms defined.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1317 HB

Title: Sentences/offenses before 21

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

Legislation Impacts:

- ☐ Cities:
- ☒ Counties: Indeterminate expenditure impact as a result of prosecutors being required to contact and prepare victims for additional Indeterminate Sentence Review Board hearings
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☐ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: Number of additional Indeterminate Sentence Review Board hearings that may result from bill's provisions; attorney time required to contact and prepare victims for a given hearing

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

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

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 01/20/2025
Leg. Committee Contact: Lena Langer	Phone: 360-786-7192	Date: 01/15/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/20/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/20/2025

Part IV: Analysis

A. SUMMARY OF BILL

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

Section 1 of the proposed legislation would amend RCW 9.94A.510, modifying the Adult Felony Sentencing Grid to reference sentences under RCW 10.95.030 for offenses of seriousness level XVI.

Section 2 would amend RCW 9.94A.540, changing subsection references to be consistent with the amendments in sections 6 and 7 of the proposed legislation.

Section 3 would amend RCW 9.94A.570, changing subsection references to be consistent with the amendments in sections 6 and 7 of the proposed legislation.

Section 4 would amend RCW 9.94A.728, changing subsection references to be consistent with the amendments in sections 6 and 7 of the proposed legislation.

Section 5 would amend RCW 9.94A.729, changing subsection references to be consistent with the amendments in section 7 of the proposed legislation.

Section 6 would amend RCW 9.94A.730, adding a provision allowing people convicted of murder in the first degree committed before the person's 21st birthday to petition the Indeterminate Sentence Review Board for early release after serving no less than 20 years of total confinement, subject to certain conditions. The amendments in this section would also add a provision allowing people convicted of aggravated murder in the first degree committed before the person's 21st birthday to petition the board for early release after serving no less than 25 years of total confinement, subject to certain conditions.

Finally, the amendments in this section would specify that any person who has served no less than 15 years of total confinement for an offense committed before the person's 21st birthday may petition the Indeterminate Sentence Review Board for early release. Currently, RCW 9.94A.730 allows a person who has served no less than 20 years of total confinement for an offense committed before the person's 18th birthday to petition the board for early release.

Section 7 would amend RCW 10.95.030, adding a provision that any person convicted of one or more crimes committed before the person's 21st birthday may petition the Indeterminate Sentence Review Board for early release after serving no less than 25 years of total confinement, subject to certain conditions.

Section 9 would add a new section specifying that the provisions of sections 6 and 7 that create new circumstances under which people may petition the Indeterminate Sentence Review Board for early release apply retroactively to people incarcerated on the effective date of the bill, regardless of the date of offense or conviction.

Section 10 would add a new section specifying that the proposed legislation would not create any right or entitlement to release from incarceration before the end of a term of incarceration imposed by the court.

B. SUMMARY OF EXPENDITURE IMPACTS

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

The proposed legislation would have an indeterminate impact on local government expenditures. The Washington Association of Prosecuting Attorneys (WAPA) indicates that prosecutors are asked to make contact with victims and prepare them for Indeterminate Sentencing Review Board hearings for people serving long sentences for offenses they committed as juveniles. Since the bill's provision would create additional hearings of this kind, WAPA indicates that prosecutors' workload would increase as a result.

It is unknown, however, how many such additional hearings may arise in the future, or how much attorney time a given hearing may require, so the resulting local government expenditure impact is indeterminate. The 2025 Local Government Fiscal Note Program Unit Cost Model estimates that the average hourly salary plus benefits and overhead for a prosecuting attorney is \$117.

The Washington State Caseload Forecast Council (CFC) indicates that the bill’s provisions would have no impact on jail beds. According to the CFC, in fiscal year 2024, there was one sentence for aggravated murder in the first degree where the person was 18-21 years old at the time of the offense and 26 sentences of 15 years or more for people who were 18-21 years old at the time of the offense.

C. SUMMARY OF REVENUE IMPACTS

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

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

- SOURCES:
- Local Government Fiscal Note Program Unit Cost Model, 2025
 - Washington Association of Prosecuting Attorneys
 - Washington State Caseload Forecast Council