

Multiple Agency Fiscal Note Summary

Bill Number: 1147 HB	Title: Civic engage./state custody
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Estimated Cash Receipts

Agency Name	2025-27			2027-29			2029-31		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

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
Office of the Secretary of State	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	87.9	23,550,000	23,550,000	23,550,000	87.9	22,986,000	22,986,000	22,986,000	87.9	22,986,000	22,986,000	22,986,000
Department of Corrections	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Total \$	87.9	23,550,000	23,550,000	23,550,000	87.9	22,986,000	22,986,000	22,986,000	87.9	22,986,000	22,986,000	22,986,000

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
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
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of 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
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									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Danya Clevenger, OFM	Phone: (360) 688-6413	Date Published: Final 2/ 6/2025
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Individual State Agency Fiscal Note

Bill Number: 1147 HB	Title: Civic engage./state custody	Agency: 085-Office of the Secretary of State
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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: Connor Schiff	Phone: 360-786-7093	Date: 01/07/2025
Agency Preparation: Bonnie Luntzel	Phone: 360-704-5262	Date: 01/13/2025
Agency Approval: Tim Gallivan	Phone: (360) 763-2044	Date: 01/13/2025
OFM Review: Marie Davis	Phone: (360) 890-1163	Date: 01/14/2025

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.

- Section 1: This section outlines the legislative intent and findings regarding civic engagement for incarcerated and institutionalized individuals. It emphasizes the value of including directly impacted individuals in civic processes, recognizing them as essential stakeholders in democracy. It states that people who are imprisoned, residing in state hospitals, or residing in residential rehabilitation centers disproportionately come from marginalized communities and summarizes the benefits to democracy of encouraging said individuals to invest in society through civic participation and engagement. The legislature stresses that engagement fosters rehabilitation, reduces harm, and strengthens society.
- Section 2: This section grants incarcerated individuals, those in residential habilitation centers, and individuals receiving treatment the right to engage in various civic activities. It outlines specific rights related to organizing, voting, meeting with community groups, and communicating with elected officials. It explicitly states that these individuals should be free from punishment or retaliation while exercising these rights.
- Section 3: This section prohibits state or local agencies from denying individuals their right to civic engagement without compelling justification. It also establishes a legal framework for individuals to seek remedies for violations of these rights, including injunctive relief and damages. Awarded damages may be up to an amount not to exceed three (3) times damages sustained, but such increase must not exceed \$25,000.
- Section 4: This section creates a new chapter under Title 72 RCW dedicated to civic engagement rights for incarcerated and institutionalized individuals.

The Office of the Secretary of State (OSOS) has reviewed this bill and determined it will not increase or decrease the current workloads, therefore, no fiscal impact to OSOS.

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 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.

No 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

No Impact.

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Revised

Bill Number: 1147 HB	Title: Civic engage./state custody	Agency: 300-Department of Social and Health Services
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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:

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: Connor Schiff	Phone: 360-786-7093	Date: 01/07/2025
Agency Preparation: Sara Corbin	Phone: 360-902-8194	Date: 01/17/2025
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 01/17/2025
OFM Review: Arnel Blancas	Phone: (360) 000-0000	Date: 01/21/2025

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 1147 adds a new chapter to RCW 72 relating to supporting civic engagement for incarcerated and institutionalized individuals in state custody to promote inclusion and rehabilitation.

New Section 1. Defines individuals this legislation represents: justice-involved individuals, including incarcerated individuals (in adult/juvenile prisons), and individuals experiencing institutionalization (prisons, state hospitals, residential habilitation centers), individuals receiving treatment.

New Section 2. All state and local agencies shall ensure that the individuals can fully exercise their rights of civic engagement and provides examples of engagement. Includes individuals receiving treatment under RCW 72.23.175.

New Section 3. Violation of new section 2. may result in civil action with potential for monetary damages and attorneys' fee not to exceed \$25,000.

New Section 4. Sections 2 and 3 constitute a new chapter in Title 72 RCW.

II. B - Cash receipts Impact

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

For facilities that earn Federal funding, a portion of the costs incurred to implement this legislation will be funded with federal Title XIX.

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.

HB 1147 will have an indeterminate fiscal impact to the Department of Social and Health Services (DSHS), Behavioral Health Administration (BHA), and Special Commitment Center (SCC).

New Section 2. Includes individuals living at residential habilitation centers (RHC), and individuals receiving treatment under RCW 72.23.175 have a right to civic engagement. All state and local agencies shall ensure that individuals can fully exercise their rights of civic engagement, which includes and not limited to the following rights:

To form political organizations/groups in the state institutions to work with community members/organizations/elected officials/officials staff; register as voters and actually vote, meet with political candidates/campaign staff, access classrooms/utility rooms or designated program areas in the institutions for group meetings, fully participate in teleconference meetings with the community groups, legislative bodies, organizations, panels, etc. and free from punishment or retaliation for participation and exercising their rights.

For the purposes of this fiscal note all patients and residents of eligible voting age and those of non-eligible voting age that may act as a stakeholder for a political organization/group are subject to this legislation.

RCW 72.23.175 1(a) State hospitals licensed under chapter 72.23 RCW; (b) The special commitment center and secure community transition facilities licensed under RCW 71.09.250 and 71.09.290; or (c) Residential treatment facilities that provide mental health services operated by DSHS.

BHA capacity to serve patients: Western State Hospital (WSH) 745 beds located in Lakewood, Eastern State Hospital (ESH) 375 beds in Medical Lake, Child Study & Treatment Center (CSTC) 65 beds in Lakewood, Olympic Heritage Behavioral Health (OHBH) 72 beds in Tukwila, Maple Lane Behavioral Health Treatment Center (BHTC) 76 beds in Centralia, and Steilacoom BHTC 30 beds in Lakewood. With additional BHA beds capacity expansion scheduled for the 2025-27 biennia.

SCC capacity to serve residents: Total Confinement (TC) 228 beds and Pierce County Secure Community Treatment Facility (SCRT) 24 beds on McNeil Island near Steilacoom, King County SCTF 12 beds in Seattle, and approximately 40 residents in a community contracted or non-contracted Less Restrictive Alternative (LRA) placement.

Total Clients Served FY 2024 by Facility

BHTCs	386
CSTC	119
ESH	722
OHBH	110
SCC	207
WSH	1,752
Total	3,296

Source: BHA By the Numbers Fiscal Year 2024

BHA and SCC facilities do currently facilitate voter registration and voting, and do not restrict calls or mail absent documented clinical direction by a treatment provider. The Developmental Disabilities Administration (DDA) already has a large focus on community engagement (a DDA service) for institutional clients, and civic engagement costs are a part of current workload. No fiscal impact to DDA, as passage of this legislation aligns with current operations.

Indeterminate Staffing Costs

New Section 2. Impacts of implementing this section would require additional staffing resources at BHA and SCC facilities for the following workload increases to ensure civic engagement for all patients/residents:

Staffing Resources per Facility:

1.0 Security Guard 2 (SC2) to ensure safety and security risks are mitigated for outside groups entering BHA and SCC facilities, escorting outside individual/group within the facility, and escorting patient/resident within the facility when meeting with civic engagement group and or when accessing facility meeting rooms with telecommunications resources.

1.0 Institutional Counselor 3 (IC3) to attend meetings with the patient/resident and political/community organizations, serve as a liaison and work with treatment teams to determine patient/resident availability for civic engagement meetings, coordinates and resolve scheduling conflicts related to civic engagement activities.

1.0 Administrative Assistant 2 (AA2) to schedule requests for facility meeting space and technological support, coordinate scheduling with outside individual/group for facility meetings, coordinating with IC3 and SC2 when needed to support the patient/resident civic engagement scheduling needs.

High - Estimated annual cost for these three staff scheduled during day and evening shifts, seven days a week, is 11.8 FTE and \$1,217,000 total funds.

Low - Estimated annual cost for these three staff scheduled during day shifts with shift relief, seven days a week, is 5.9 FTE and \$609,000 total funds.

For the purposes of this fiscal note, all civic engagement by residents/patients will be conducted within BHA and SCC facilities, and that no transportation or engagement outside the facilities will occur.

BHA policies would be needed and/or revised to ensure appropriate assessments of patients is completed to confirm safe and healthy participation in civic engagement events, and that such opportunities would only be available for patients with a court order for longer than a 90-day evaluation or competency restoration period.

Indeterminate Equipment Costs

All BHA and SCC facilities must provide technological support (phone, speaker phone or workstation with teleconference capabilities) to meet patient/resident needs for both in person and virtual civic engagements. Facilities may require dedicated resources to ensure patient/resident civic engagement, cost for illustrated purposes:

- Additional leased personal computer (PC) to provide teleconference and videoconference opportunities, annual cost per PC \$500.
- Microsoft Teams Rooms (MTR) devices, annual cost per listening device \$400.
- Conference or meeting booths estimated cost per booth \$25,000.

Information Technology staff time to maintain and support MTR and Conference POD may be required.

New Section 3(2)(b)(i) violation of new section 2. may result in civil action with potential for monetary damages and attorneys' fee not to exceed \$25,000.

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

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

Revised

Bill Number: 1147 HB	Title: Civic engage./state custody	Agency: 307-Department of Children, Youth, and Families
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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:

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: Connor Schiff	Phone: 360-786-7093	Date: 01/07/2025
Agency Preparation: Joseph Cushman	Phone: 3607906422	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.

This bill seeks to promote support civic engagement for incarcerated individuals within the Department of Children, Youth and Families (DCYF).

Section 2 is a new section that states that DCYF and other state agencies shall ensure that incarcerated individuals are able to fully exercise their rights of civil engagement. They shall be allowed to form political organizations, communicate with members of community groups, register as voters, and engage with political candidates. DCYF shall ensure access to classrooms, or other available space, to allow for group meetings. Individuals that be allowed to participate in videoconference meetings community groups, legislative bodies etc. Individuals who participate in these activities shall be free from retaliation or punishment.

Section 3(2)(a) is a new section that states that a local or state agency may not assert that denying individual's right to civic engagement serves a legitimate penological objective.

Section 3(b) is a new section that states that no state or local agency may implement a regulation in a manner that imposes a substantial burden on the rights described in section 2.

Section 3(b)(1) states that any person any person who is injured, in result from a violation of section 2 make bring civil action to recover damages.

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.

DCYF considers this bill indeterminate.

Current practice in DCYF institutions promotes civic engagement to the extent programmatically possible. Green Hill School (GHS) currently facilitates civic engagement through its Capital Classroom initiative, where youth work directly on legislative bills and contribute as a resource to legislators. Echo Glen Children's Center (EGCC) works with community providers that provide civic engagement opportunities as well.

DCYF facilitates access to campus for volunteers who support young people in voter registration. This includes working to register eligible voters. There are currently roughly 91 individuals at GHS and EGCC who over the age of 18 and eligible to vote based on their sentence type. There are many more individuals in DCYF institutions that are over the age of 18 with adult sentences who are not eligible. However, under this bill they will be guaranteed the right to participate in other civic opportunities.

This proposed legislation is expected to require a significant expansion of our current efforts. This would include the provision of ad hoc staff supervision, meeting space, and video and telecommunications access. The enforcement provisions would lead to an unpredictable number of legal actions. We do not have anything to equate this new proposed cause of

action to, in order to derive a comparable fiscal estimate. The operational, fiscal, and legal implications must be thoroughly considered.

Potential fiscal impacts may include funding and staff resources to support public records requests, attorneys' fees, discovery in litigation, such as time spent on depositions, document gathering, and meetings may be required

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

Bill Number: 1147 HB	Title: Civic engage./state custody	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	87.9	87.9	87.9	87.9	87.9
Account					
General Fund-State 001-1	12,057,000	11,493,000	23,550,000	22,986,000	22,986,000
Total \$	12,057,000	11,493,000	23,550,000	22,986,000	22,986,000

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

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Connor Schiff	Phone: 360-786-7093	Date: 01/07/2025
Agency Preparation: Daniel Polimeni	Phone: 360-791-0201	Date: 01/20/2025
Agency Approval: Wendi Gunther	Phone: 360-725-8428	Date: 01/20/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/06/2025

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.

An act relating to supporting civic engagement for incarcerated and institutionalized individuals in state custody to promote inclusion and rehabilitation; adding a new chapter to Title 72 RCW; and creating a new section.

Section 2, a new section, states individuals currently incarcerated in adult and juvenile prisons, individuals living at residential habilitation centers, and individuals receiving treatment under RCW 72.23.175 have a right to civic engagement.

Section 2(1) allows individuals to form political organizations or groups and/or use current groups or organizations within state institutions for the purpose of civic engagement to work with community members, organizations, institutions, and elected officials and their staff.

Section 2(2) allows individuals to organize and communicate with members of community groups, organizations, institutions, and elected officials and their staff.

Section 2(3) allows individuals to register as voters in accordance with state law and cast their vote in elections utilizing mail-in ballots.

Section 2(4) allows individuals to meet with, support, or engage with political candidates and/or campaign staff.

Section 2(5) allows individuals to access classrooms, utility rooms, or other designated program areas within state institutions for group meetings with community members, organizations, institutions, holders of government office, and their staff.

Section 2(6) allows individuals to fully participate in teleconference and videoconference meetings and proceedings with community groups, working groups, legislative bodies, organizations, institutions, panels, or forums.

Section 3(2)(b) states that no state or local agency shall impose or implement a regulation in a manner that imposes a substantial burden on the rights described in section 2 of this act.

Section 3(2)(b)(i) states any person who is injured by a violation of section 2 of this act may bring a civil action in superior court to enjoin further violations, to recover the damages, together with the costs of the suit, including a reasonable attorneys' fee.

Effective date is assumed 90 days after adjournment of the session in which this bill is passed.

II. B - Cash receipts Impact

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

II. C - Expenditures

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

The fiscal impact of this bill is indeterminate, assumed to be greater than \$50,000 per Fiscal Year (FY). However, there are determinate costs outlined below.

This bill creates rights for Incarcerated Individuals (I/I's) to participate in civic activities while incarcerated without retaliation. This bill prioritizes the usage of space and gathering of I/I's to allow them to form political organizations or groups and/or use current groups or organizations within state institutions for the purpose of civic engagement to work with community members, organizations, institutions, and elected officials and their staff. These activities are to be organized inside state facilities, including providing access to areas to meet or to help orchestrate meetings via phone or video conferencing. The bill also creates penalties for state and local agencies that infringe upon these rights, adding a new chapter to Title 72 RCW.

Section 2(1-2) allows I/I's to form political organizations or groups and to organize and communicate with community groups and organizations without exception. Furthermore, Section 2(5) allows I/I's access to facilities' classrooms, "utility" rooms, and program space for group meetings, seemingly without exception, which could create both security risks and operational issues around staffing, scheduling, movements, lack of meeting areas and issues related to IT infrastructure. This bill will create staffing costs to provide custody oversight and supervision of individuals and groups allowed access to meet relating to civic activities both onsite or via telephone or video conferencing. This includes staffing necessary for intelligence and investigation to monitor activities in a safe way.

Civic engagement activities are not defined by the bill and could be broadly interpreted and requested by the 13,075 individuals (as of December 31, 2024) incarcerated in Washington state DOC prisons. The DOC currently has 11.0 FTE unfunded positions to help with the increase in court hearings and other virtual activities, these positions have managed to facilitate over 15,000 virtual activities since March 2021 and the demand for virtual services continues to increase sharply year-over-year. Based on this experience, if this bill is passed, the department would need a minimum of 19 Administrative Assistant 2 positions, two at each major facility and one at each camp, to coordinate the movement of I/I's, schedule rooms, assist as needed, and run clearances for visitors meeting with I/I's on site.

Administrative Assistant 2:

FY 2026: 19.0 FTE and \$1,802,847

FY 2027: 19.0 FTE and \$1,859,307

FY 2028: 19.0 FTE and \$1,859,307

FY 2029: 19.0 FTE and \$1,859,307

FY 2030: 19.0 FTE and \$1,859,307

Due to increased teleconferences and videoconference usage for group calls, this would elevate the need for investigative staff and investigative tools. During each meeting an investigative staff is required from a remote location to monitor each video and chat to ensure safety and security. This would require a minimum of one Investigator 2 position at each facility and one position at headquarters to provide relief.

Investigator 2:

FY 2026: 12.0 FTE and \$1,575,118

FY 2027: 12.0 FTE and \$1,626,943

FY 2028: 12.0 FTE and \$1,626,943

FY 2029: 12.0 FTE and \$1,626,943

FY 2030: 12.0 FTE and \$1,626,943

The DOC Corrections & Custody Officer 2 is required in person to log on and monitor the entire meeting in person or be present at the location of an event. Based on the increasing number of requests from legislators and stakeholders, we would not be able to meet the anticipated demand. Most of these events would result in overtime or pulling someone away from their paid position and work to conduct the hearing. The DOC would require one additional custody staff seven days a week, 16 hours a day per facility to be added to ensure safety of both staff and I/I's. This equates to 3.2 Corrections & Custody Officer 2s per facility, or 35 Corrections & Custody Officer 2s in total, to meet the need.

Corrections & Custody Officer 2:

FY 2026: 35.0 FTE and \$4,175,039
FY 2027: 35.0 FTE and \$4,305,440
FY 2028: 35.0 FTE and \$4,305,440
FY 2029: 35.0 FTE and \$4,305,440
FY 2030: 35.0 FTE and \$4,305,440

DOC assumes that required access to teleconferences and videoconferences will happen during normal business hours Monday to Friday. During these assumed hours, due to the fact of the financial penalty clause, IT would require one IT System Administration position at each location to ensure connectivity and to resolve technical failures and issues timely during these business hours. This would require 11 IT System Administration positions at a journey level to ensure connectivity and continuity to meet the bill requirements.

IT System Administration - Journey
FY 2026: 11.0 FTE and \$1,762,084
FY 2027: 11.0 FTE and \$1,821,375
FY 2028: 11.0 FTE and \$1,821,375
FY 2029: 11.0 FTE and \$1,821,375
FY 2030: 11.0 FTE and \$1,821,375

An additional \$1.5 million will be needed for one-time and ongoing costs in FY2026, to include office furniture, equipment, and supplies. Another \$597,000 will be required in FY2027, and thereafter, for ongoing costs related to office supplies, staff travel, and training, etc.

The DOC requests funding for the indirect costs of agency administration, which includes 10.9 FTEs and \$1,122,000 in FY2026, 10.9 FTEs and \$1,122,000 in FY2027, and ongoing, for the purpose of supporting Payroll, Human Resources, Information Technology, and other expenses associated with the hiring and employment of staff to implement this legislation. The approved agency indirect rate and associated cost of administration are calculated based on the salaries and benefits of staff conducting back office administrative functions, divided by all remaining salaries and benefits.

Overall, requested funding necessary to meet the needs of this bill are the following:

FY 2026: 87.9 FTE and \$12,057,000
FY 2027: 87.9 FTE and \$11,493,000
FY 2028: 87.9 FTE and \$11,493,000
FY 2029: 87.9 FTE and \$11,493,000
FY 2030: 87.9 FTE and \$11,493,000

If the staffing requirement is not funded, DOC will not be able to carry out the requirements of this legislation. This bill defines the following monetary penalties if the bill is passed, and the DOC is unable to comply or carry out these requirements.

In addition, this bill has several areas where costs are indeterminate:

Section 2(6) allows I/I's to "fully" participate in teleconference and videoconference meetings and proceedings from inside secure facilities, which could require IT infrastructure and could create issues around continual access. This bill requires DOC to provide increased access to both phone and video conferencing capabilities. To meet the requirements of this bill, IT will need to hold an assessment at each facility to determine meeting areas. Once locations have been selected and approved, there may be cost to run wires to these locations. If costs do occur, DOC will request additional funding in a decision package. In addition, if meetings are to be scheduled outside of business hours and on weekends, DOC will submit a decision package for the additional FTEs needed.

Currently, state law does not permit individuals to register to vote or vote while incarcerated. If legislation were to pass in the future, DOC would need to work with the Secretary of State and local state auditors to develop a process for incarcerated registration and voting, whether in person or mail-in. This cost is currently indeterminant. The DOC would ask for additional funding through a decision package if costs are incurred.

Section 3(2)(b) of the bill creates monetary penalties for agencies found to have infringed upon the rights including up to three times the damages (up to \$25,000) as well as court /attorney costs. Due to the implications of this bill language, it would be imperative to receive necessary funding to enact the requirements of this bill.

The DOC will evaluate the fiscal impacts and may submit future budget requests to cover these costs should the legislation be enacted into session law.

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	12,057,000	11,493,000	23,550,000	22,986,000	22,986,000
Total \$			12,057,000	11,493,000	23,550,000	22,986,000	22,986,000

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

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	87.9	87.9	87.9	87.9	87.9
A-Salaries and Wages	6,873,000	7,127,000	14,000,000	14,254,000	14,254,000
B-Employee Benefits	2,442,000	2,485,000	4,927,000	4,970,000	4,970,000
C-Professional Service Contracts					
E-Goods and Other Services	776,000	466,000	1,242,000	932,000	932,000
G-Travel	231,000	231,000	462,000	462,000	462,000
J-Capital Outlays	613,000	62,000	675,000	124,000	124,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	1,122,000	1,122,000	2,244,000	2,244,000	2,244,000
9-					
Total \$	12,057,000	11,493,000	23,550,000	22,986,000	22,986,000

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

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

Job Classification	Salary	FY 2026	FY 2027	2025-27	2027-29	2029-31
Administrative Assistant 2		19.0	19.0	19.0	19.0	19.0
Administrative Support		10.9	10.9	10.9	10.9	10.9
Corrections & Custody Officer 2		35.0	35.0	35.0	35.0	35.0
Investigator 2		12.0	12.0	12.0	12.0	12.0
IT System Administration		11.0	11.0	11.0	11.0	11.0
Total FTEs		87.9	87.9	87.9	87.9	87.9

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: 1147 HB

Title: Civic engage./state custody

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

Legislation Impacts:

Cities: Indeterminate but likely significant expenditure impact as a result of local agencies ensuring that people can exercise their rights to civic engagement unimpeded by any regulations; indeterminate legal costs associated with civil actions for alleged violations of prohibition on impeding a person's exercise of their civic engagement rights

Counties: Same as above, but for counties

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: Costs of ensuring all people incarcerated in jails can register to vote and can vote by mail; legal costs associated with any civil actions for alleged violations of prohibition on impeding a person's exercise of their civic engagement rights

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: 01/30/2025
Leg. Committee Contact: Connor Schiff	Phone: 360-786-7093	Date: 01/07/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 01/30/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/06/2025

Part IV: Analysis

A. SUMMARY OF BILL

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

Section 2 of the proposed legislation would create a new section requiring all state and local agencies to ensure that individuals currently incarcerated in adult and juvenile prisons, individuals, living at residential habilitation centers and individuals receiving treatment under RCW 72.23.175 can fully exercise civic engagement.

This section lists specific rights included under the definition of civic engagement, including the right to register as voters and cast votes in elections using mail-in ballots.

Section 3 would specify that no state or local agency may assert that denying any individual their right to civic engagement serves a legitimate penological objective or a compelling governmental interest, and would prohibit state and local agencies from imposing or implementing regulations in a manner that imposes a burden on the rights listed in section 2 of the bill.

Any person who is injured by a violation of section 2 of the bill would have cause to bring a civil action in superior court to enjoin further violations and recover damages and the costs of the suit, including reasonable attorneys' fees.

Section 4 specifies that sections 2 and 3 of the proposed legislation would constitute a new chapter in Title 72 RCW.

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.

As written, the proposed legislation would have an indeterminate but likely significant impact on local government expenditures.

Section 3 of the bill would specify that no state or local agency may impose or implement regulations in a manner that imposes a burden on the civic engagement rights listed in section 2 of the bill, which include registering as voter and casting votes in elections. Any person who is injured by a violation of section 2 would have cause to bring a civil action to enjoin further violations and recover damages and the costs of the suit, including reasonable attorneys' fees.

The Washington Association of Sheriffs and Police Chiefs (WASPC) interprets the proposed legislation as not intended to apply to local agencies, but indicates that if it did, it would create a significant expenditure impact. As written, the bill would prevent local agencies from impeding a person's exercise of their civic engagement rights, and would provide the possibility of local agencies being subject to civil penalties for any violations of this prohibition.

Currently, people in jail for a federal, out-of-state or Washington felony offense are not able to vote while incarcerated. The costs of expanding the right to register to vote and to vote by mail to these people are indeterminate, but WASPC indicates that they would likely be significant. For a more detailed discussion of the potential cost impact of expanded voting from jail, please see the local government fiscal note for HB 1146, 2025.

In addition to the indeterminate expenditure impact of ensuring people are able to exercise their right to civic engagement, local governments could incur indeterminate but potentially significant costs as a result of civil actions brought against them for any alleged violations of the prohibition in section 3 of the bill. The Washington State Association of Counties indicates that the proposed legislation would increase the liability exposure of counties, but it is unknown how many future civil actions may be brought against counties for alleged violations of section 3, or what attorneys' costs, settlement amounts or penalty payments might be, so the associated expenditure impact is indeterminate. It is reasonable to assume that the same would also be true of cities.

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 for HB 1146, 2025

Washington Association of Sheriffs and Police Chiefs

Washington State Association of Counties