

Multiple Agency Fiscal Note Summary

Bill Number: 1232 S HB	Title: Private detention facilities
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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 Health	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

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 Attorney General	Fiscal note not available											
Department of Labor and Industries	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	1.5	542,000	542,000	542,000	4.2	1,294,000	1,294,000	1,294,000	4.2	1,294,000	1,294,000	1,294,000
Department of Children, Youth, and Families	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	1.5	542,000	542,000	542,000	4.2	1,294,000	1,294,000	1,294,000	4.2	1,294,000	1,294,000	1,294,000

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 Attorney General	Fiscal note not available								
Department of Labor and Industries	.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 Health	.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	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

This is a preliminary fiscal note package and may not reflect the total estimated impact.

Prepared by: Amy Hatfield, OFM

Phone:
(360) 280-7584

Date Published:
Preliminary 2/25/2025

Individual State Agency Fiscal Note

Bill Number: 1232 S HB	Title: Private detention facilities	Agency: 235-Department of Labor and Industries
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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: Emily Stephens	Phone: 360-786-7157	Date: 02/16/2025
Agency Preparation: Crystal Van Boven	Phone: 000-000-0000	Date: 02/19/2025
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 02/19/2025
OFM Review: Courtney Kinney	Phone: 360 584 5705	Date: 02/19/2025

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 amends RCW 70.395.020, 70.395.040, 70.395.050, 70.395.060, and 70.395.100; adding new sections to chapter 70.395 RCW; creating a new section; and declaring an emergency.

SHB 1232 is different from SB 1232 in that it:

- Removes the words "for-profit" from Section 1(6).
- Updates the words "center" to "facility" in Section 4(1).
- Removes the words "rehabilitative" from Section 7.
- Clarifies chapter 74.15 RCW in Section 7(1).

These changes do not affect the impact for the Department of Labor and Industries (L&I).

The proposed bill does not have fiscal impact for the Department of Labor and Industries (L&I). There is no change to inspection requirements for L&I Division of Occupational Safety and Health (DOSH).

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.

None.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

None.

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1232 S HB	Title: Private detention facilities	Agency: 300-Department of Social and Health Services
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Emily Stephens	Phone: 360-786-7157	Date: 02/16/2025
Agency Preparation: Cassi Postma	Phone: 3609999999	Date: 02/17/2025
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 02/17/2025
OFM Review: Arnel Blancas	Phone: (360) 000-0000	Date: 02/18/2025

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.

Substitute House Bill 1232 relates to private detention facilities amending RCW 70.395.020, 70.395.040, 70.395.050, 70.395.060, and 70.395.100; adding new sections to chapter 70.395 RCW.

The Department of Social and Health Services (DSHS) does not operate any private detention facilities, therefore enacting this bill into law will result in no fiscal impact to DSHS.

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.

None.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

None.

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Revised

Bill Number: 1232 S HB	Title: Private detention facilities	Agency: 303-Department of Health
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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 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.5	1.5	1.5	4.2	4.2
Account					
General Fund-State 001-1	273,000	269,000	542,000	1,294,000	1,294,000
Total \$	273,000	269,000	542,000	1,294,000	1,294,000

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: Emily Stephens	Phone: 360-786-7157	Date: 02/16/2025
Agency Preparation: Katie Osete	Phone: 3602363000	Date: 02/19/2025
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 02/19/2025
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/25/2025

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 fiscal impact to the Department of Health (the Department) has not changed from the previous fiscal note on HB 1232.

Summary of changes from substitute bill S HB 1232: The substitute bill removes the requirement that private detention facilities be for-profit, broadening the definition to include non-profit entities (Section 1). Language referring to private detention center was updated to say private detention facilities (Section 4). It also modifies an exemption by removing "rehabilitative" from juvenile services and specifying chapter 74.15 RCW instead of Title 13 RCW (Section 7).

Section 1 (RCW 70.395.020 - Definitions)

1. Definition of "Private Detention Facility" modified:

Original: "A detention facility that is operated by a private, nongovernmental for-profit entity..."

Substitute: "A detention facility that is operated by a private, nongovernmental entity..."

Change: The phrase "for-profit" has been removed.

Section 4

1. Language referring to private detention facilities was modified:

Original: "When the department of health determines the private detention center..."

Substitute: "When the department of health determines the private detention facility..."

Section 7 (RCW 70.395.100 - Exemptions)

1. Clarification of juvenile services exemption:

Original: "Providing rehabilitative, counseling, treatment, mental health, educational, or medical services to juveniles who are subject to Title 13 RCW, or similarly applicable federal law."

Substitute: "Providing counseling, treatment, mental health, educational, or medical services to juveniles under chapter 74.15 RCW."

Change:

"Rehabilitative" has been removed.

Instead of referencing Title 13 RCW, the exemption now refers to chapter 74.15 RCW.

Original version:

Section 2: Amends RCW 70.395.040 which outlines the topics the Department of Health (DOH) must adopt rules on.

Section 3: Amends RCW 70.395.050 to grant the DOH the authority to at any time inspect a private detention facility to determine whether it has failed or refused to comply with the requirements of this chapter that reference towards the regulation of these facilities.

Section 4: Adds a new section to chapter 70.395 RCW that outlines actions DOH may take after conducting inspections and finds the private detention facility has failed or refused to comply with applicable state statutes or rules. These actions include corrective actions with a specific time frame, training or hiring a consultant approved by the DOH to remedy these violations or assess a civil fine of up to \$10,000 per violation not to exceed a total amount of \$1,000,000 if the facility has previously been subject to a similar enforcement action that has failed to be corrected. The proceeds from fines may only be used by DOH to provide training or technical assistance. Section 4 also requires DOH to adopt rules that specify fine amounts in relation to the severity of non-compliance. Private detention facilities have the right to appeal any civil fines under RCW 43.70.095.

Section 5: Adds a new section to chapter 70.395 RCW that directs DOH to provide all facility inspection statements of

deficiencies, plans of correction, notice of plans of correction, enforcement actions and notices of resolution publicly available on the Internet.

Section 7: Amends RCW 70.395.100 to expand the requirements in the chapter to private detention facilities that provide rehabilitation, counseling, treatment, mental health, educational, or medical services to juveniles who are involved with the criminal justice system.

Section 8: States the act take effect immediately.

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.

Section 4: gives DOH the authority to adopt civil penalties through rulemaking. Civil Fines will be assessed during the inspection and enforcement process. Fines collected will be used to provide training or technical assistance to the respective facility. The value of revenue collected from civil fines is indeterminate until the severity matrix is established for fines and rules are adopted.

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 2:

DOH is required to develop and adopt measurable standards providing sanitary, hygienic, and safe conditions for individuals detained in private detention facilities. DOH anticipates utilizing a significant rulemaking process in accordance with the Administrative Procedures Act. The rules must address safe and clean environments, access and equipment for people with physical and mental disabilities, adequate lighting, indoor air quality and room temperature, water quality, cleaning services, maintenance, sewage and waste disposal, and civil penalties. Based on DOH's experience, DOH anticipates this rulemaking to be complex and controversial. This rulemaking is subject to a cost-benefit analysis and environmental justice assessment, and potentially a small business economic impact statement. DOH must conduct extensive engagement with interested and impacted parties and community members to develop the draft rules and will include at least twelve listening sessions and rules workshops. DOH will engage with individuals who are detained or have experience previously being detained, their family members, Tribes, community members, immigration advocates, private detention facilities, and federal and state government agencies. In addition to the extensive engagement, DOH will also hold a formal rule hearing. DOH anticipates providing English and Spanish interpretation services for all listening sessions, rules workshops, and the rules hearing. All written materials will be translated into at least Spanish to ensure an equitable rulemaking process. DOH anticipates this rulemaking will take approximately 24 months to complete.

Beginning in FY 2026 through 2027, DOH will require:

- 0.3 FTE, Environmental Planner 4, which would manage the rulemaking process, responsible for facilitating the listening session, rules workshops, drafting the rule language, preparing analyses, and ensuring compliance with the Administrative Procedures Act.
- 0.10 FTE, WMS2 Program Manager will oversee the rulemaking and engagement activities, and review rulemaking documents and materials.
- 0.2 FTE, Health Services Consultant 4, will provide subject matter expertise and technical input through the rule process, coordinate and lead community engagement activities, and review rulemaking documents and materials.
- 0.5 FTE Epidemiologist 3, this position located in the Office of Health Sciences, Communicable Disease EPI would be supporting EPH assisting with rule making and engagement activities and review documents and materials.
- Costs for interpretive and translation services are estimated at \$20,000.
- Costs for Office of Attorney General support in the amount of \$25,000 .

Total Cost to implement section 2:

FY26: \$273,000, 1.5 FTE

FY27: \$269,000, 1.5 FTE

Section 3:

DOH is required to conduct inspections for juvenile private detention facilities related to food service and handling, basic sanitation and hygiene, nutrition, and complaints. These costs will depend on inspection frequency and number of facilities. Section 3 (d) requires private detention facilities both inside and outside of the facility every six months therefore DOH assumes at least two inspections per year per facility. Routine inspections will begin once rulemaking is completed.

Beginning in FY 2028 and ongoing, DOH will require:

- 0.5 FTE Public Health Advisor 3 to conduct inspections for the new private detention facilities required to comply with this chapter.
- 0.5 FTE WMS2 Program Manager to manage the expanded inspection program and supervise the inspection staff.
- 0.5 FTE Epidemiologist 3, this position located in the Office of Health Sciences, Communicable Diseases EPI would be assisting EPH with complaints of communicable diseases. If DOH becomes responsible for investigations and complaints of communicable diseases at private detention facility located within the state, then this position will support disease control and response activities. They will support with conducting investigations of complaints received relating to any private detention facility located within the state.
- Costs for translation and interpretive services for inspections in the amount of \$10,000.
- Attorney General time to review and advise on enforcement penalties will be estimated at \$22,000 in FY 2028 and ongoing.
- Travel will be needed for these staff to inspect facilities. DOH assumes one facility in Tacoma and one in Medical Lake, WA. The estimated travel would be \$4,000 per FY.

Total Cost to implement section 3:

FY28 and Ongoing: \$334,000, 2.1 FTE

Section 4:

These costs will depend on the number of complaints received, investigations, and enforcement actions DOH must take. DOH assumes it will receive at least 500 complaints per year, per facility. Assumptions have been made from the current work being done in Tacoma and scaled back due to the smaller number of people housed in the new facility. Enforcement actions will begin once rulemaking is completed.

Beginning in FY 2028 and ongoing, DOH will require:

- 1.0 FTE Health Services Consultant 4: This position will serve as the program subject matter expert, receive and triage complaints, coordinate investigations with the inspectors, generate enforcement action notices and reports, respond to public record requests and media inquiries, collaborate with local health jurisdictions, external government, Tribes, and community advocates, and post inspection statements of deficiencies, plans of correction, notice of plans of correction, enforcement actions and notices of resolution to DOH's public facing website.
- 0.5 FTE WMS2 Program Manager: to manage the expanded investigations and enforcement program, supervise staff, oversee rule making, program development, and enforcement actions, serve as the point of contact with facility leaders, federal government, state agencies, Tribes, and advocacy groups, and respond to Legislative Inquiries.
- Costs for translation and onsite and/or virtual interpretive services for investigations and enforcement in the amount of \$10,000 per FY.
- Attorney General time to review and advise on enforcement penalties will be estimated at \$22,000 in FY 2028 and ongoing.

Total Cost to implement section 4:

FY28 and Ongoing: \$313,000, 2.1 FTE

Section 5: DOH is directed to make all facility inspection statements of deficiencies, plans of correction, notice of plans of correction, enforcement actions and notices of resolution publicly available on the Internet. DOH will complete this work using existing funding to publish this data.

Section 7:

By expanding the private detention centers to include juveniles in rehabilitation, counseling, treatment, mental health, educational, or medical services who are involved with the criminal justice system, this section increases the scope of work for DOH to then implement the other sections of this bill.

- The costs associated with this rulemaking would be completed in tandem with sections 2 and section 4 above.
- The costs associated with inspections would be completed in tandem with section 3.
- The costs associated with investigations and enforcement would be completed in tandem with section 4.
- The costs associated with making all facility inspection statements of deficiencies, plans of correction, notice of plans of correction, enforcement actions and notices of resolution publicly available on the Internet would be completed in tandem with section 5.

Total Cost to implement this bill:

FY 2026: \$273,000 and 1.5 FTE

FY 2027: \$269,000 and 1.5 FTE

FY 2028 and ongoing: \$647,000 and 4.2 FTE

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	273,000	269,000	542,000	1,294,000	1,294,000
Total \$			273,000	269,000	542,000	1,294,000	1,294,000

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	1.5	1.5	1.5	4.2	4.2
A-Salaries and Wages	138,000	138,000	276,000	746,000	746,000
B-Employee Benefits	50,000	50,000	100,000	272,000	272,000
E-Goods and Other Services	69,000	69,000	138,000	210,000	210,000
G-Travel	1,000	1,000	2,000	10,000	10,000
J-Capital Outlays	4,000		4,000		
T-Intra-Agency Reimbursements	11,000	11,000	22,000	56,000	56,000
Total \$	273,000	269,000	542,000	1,294,000	1,294,000

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
ENVIRONMENTAL PLANNER 4	95,652	0.3	0.3	0.3		
EPIDEMIOLOGIST 3 (NON-MEDICAL)	116,556	0.5	0.5	0.5	0.5	0.5
Fiscal Analyst 2	53,000	0.3	0.3	0.3	0.8	0.8
HEALTH SERVICES CONSULTANT 4	88,800	0.2	0.2	0.2	1.0	1.0
Health Svcs Conslt 1	53,000	0.1	0.1	0.1	0.4	0.4
PUBLIC HEALTH ADVISOR 3	80,460				0.5	0.5
WMS02	122,496	0.1	0.1	0.1	1.0	1.0
Total FTEs		1.5	1.5	1.5	4.2	4.2

III. D - Expenditures By Program (optional)

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
Office of Health & Science (010)	93,000	93,000	186,000	182,000	182,000
Division of Environmental Public Health (020)	146,000	142,000	288,000	950,000	950,000
Administration (090)	34,000	34,000	68,000	162,000	162,000
Total \$	273,000	269,000	542,000	1,294,000	1,294,000

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

N/A

Part V: New Rule Making Required

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

Section 2: DOH will need to conduct rulemaking to RCW 70.395.040. DOH is instructed to develop and adopt measurable standards providing sanitary, hygienic, and safe conditions for individuals detained in private detention facilities.

Section 4: Directs DOH to adopt in rules specific fine amounts in RCW 43.70.095 in relation to the severity of the noncompliance.

Section 7: RCW 70.395.100 directs DOH to expand the requirements in the entire chapter to private detention facilities that provide rehabilitation, counseling, treatment, mental health, educational, or medical services to juveniles who are involved with the criminal justice system.

Individual State Agency Fiscal Note

Bill Number: 1232 S HB	Title: Private detention facilities	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: Emily Stephens	Phone: 360-786-7157	Date: 02/16/2025
Agency Preparation: Joe Cushman	Phone: 3607906422	Date: 02/19/2025
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 02/19/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/23/2025

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.

This bill seeks to add new definition to RCW 70.395.050 in order to support inspection of private detention facilities to ensure basic humane conditions are being met for those that live and work in said facilities.

Substitute bill:

This substitute offers no changes with fiscal impact.

Original bill:

Section 4 is a new section giving the Department of Health (DOH) the authority to take corrective action when it inspects a private detention facility and finds the facility has failed or is not compliant with applicable state statutes or regulations.

Section 5 is a new section requiring DOH to, as resources allow, to make inspection results, plans of corrections, or enforcement actions available to the public on the internet.

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.

Department of Children, Youth, and Families (DCYF) considers this bill to have no fiscal impact as this bill relates to Private Detention Facilities which does not affect DCYF's institution or housing.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1232 S HB	Title: Private detention facilities	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Emily Stephens	Phone: 360-786-7157	Date: 02/16/2025
Agency Preparation: Matthew Friesen	Phone: 360-791-0201	Date: 02/18/2025
Agency Approval: Wendi Gunther	Phone: 360-789-4001	Date: 02/18/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/23/2025

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.

An act relating to private detention facilities; amending RCW 170.395.020, 70.395.040, 70.395.050, 70.395.060, and 70.395.100; adding new sections to chapter 70.395 RCW; creating a new section; and declaring an emergency.

SHB 1232 does not have any changes from the original bill that affect the Department of Corrections.

The following impacts remain unchanged from the previous bill version, SB 1232:

This bill amends state law related to the operations of private detention facilities and expands the rights of the Department of Health (DOH) to conduct inspections of these facilities. The Department of Corrections (DOC) does not currently contract to use private detention facilities. Therefore, this bill has no fiscal impact to DOC.

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 DOC assumes this bill will have no fiscal impact.

This bill affects private detention facilities and their compliance with measurable standards providing sanitary, hygienic, and safe conditions for detained persons as designated by DOH. The DOC does not currently contract to use private detention facilities. Therefore, this bill has no fiscal impact to DOC.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

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: 1232 S HB

Title: Private detention facilities

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 private detention facility operating, inspection and violation enforcement requirements being applied to Martin Hall Juvenile Detention Facility
- 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: Whether Martin Hall Juvenile Detention Facility would meet the operating, inspection and violation enforcement requirements of the proposed legislation or whether meeting these requirements would require additional facility expenditures; whether any additional facility expenditures may be passed on to counties that contract for detention services at Martin Hall and what those costs may be

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: 02/24/2025
Leg. Committee Contact: Emily Stephens	Phone: 360-786-7157	Date: 02/16/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/24/2025
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/25/2025

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 SHB 1232, comparing it to the impact of HB 1232.

CHANGES BETWEEN THIS BILL VERSION AND PREVIOUS BILL VERSION:

The substitute bill would remove the requirement that a facility be operated by a for-profit entity in order to fall under the definition of a private detention facility.

SUMMARY OF CURRENT BILL:

Section 1 of the proposed legislation would amend RCW 70.395.020, modifying various definitions that apply throughout chapter 70.395 RCW. The amendments in this section would remove the requirement that a facility be operated by a for-profit entity in order to fall under the definition of a private detention facility.

Section 2 would amend RCW 70.395.040, modifying the requirements for Department of Health (DOH) rules regarding conditions in private detention facilities.

Section 3 would amend RCW 70.395.050, adding a provision specifying that DOH would be able to at any time inspect a private detention facility to determine whether it has failed or refused to comply with the requirements of chapter 70.395 RCW, standards or rules adopted under that chapter, or other applicable state or federal statutes or rules.

Section 4 would add a new section to chapter 70.395 RCW, specifying the options available to DOH if it finds during an inspection that a private detention facility has failed or refused to comply with applicable statutes or regulations.

Section 6 would amend RCW 70.395.060, modifying the operating requirements for private detention facilities that operate pursuant to a contract or agreement with a federal, state or local government.

Section 7 would amend RCW 70.395.100, removing the exemption from RCW 70.395.040 through 70.395.080 and sections 4 and 5 of the proposed legislation for facilities that provide counseling, treatment, mental health, educational, or medical services to juveniles under chapter 74.15 RCW.

Section 8 specifies that the proposed legislation would take effect immediately.

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 BILL VERSION AND PREVIOUS BILL VERSION:

By including facilities operated by non-profit entities in the definition of private detention facility, the substitute bill would make the Martin Hall Juvenile Detention Facility subject to the operating, inspection and violation enforcement provisions of the proposed legislation. It is unknown, however, whether Martin Hall would incur any additional expenditures as a result of being subject to these requirements, what these costs may be, or whether they would be passed on to counties that contract for juvenile detention services at Martin Hall. Accordingly, the local government expenditure impact of the proposed legislation is indeterminate.

The previous bill excluded facilities operated by a non-profit organization from the definition of private detention facility and would have had no local government expenditure impact.

EXPENDITURE IMPACT OF CURRENT BILL:

The proposed legislation would have an indeterminate impact on local government expenditures.

The Martin Hall Juvenile Detention Facility in Medical Lake, Washington is a private juvenile detention facility that incarcerates juveniles from Adams, Asotin, Douglas, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens and Whitman counties. This facility is operated by Community, Counseling, and Correctional Services, Inc. (CCCS), a Montana-based non-profit organization. By including facilities operated by non-profit entities in the definition of private detention facility, the substitute bill would make the Martin Hall Juvenile Detention Facility subject to the operating, inspection and violation enforcement provisions of the proposed legislation.

It is unknown, however, whether Martin Hall would incur any additional expenditures as a result of being subject to these requirements, what these costs may be, or whether they would be passed on to counties that contract for juvenile detention services. Accordingly, the local government expenditure impact of the proposed legislation is indeterminate.

The Department of Health assumes that under the bill's provisions it would conduct two inspections per private detention facility per year, and would require 0.5 FTE for inspectors.

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:

Community, Counseling, and Correctional Services, Inc., "About Us"

Local government fiscal note for 2SHB 1470, 2023

Washington Defender Association, "Juvenile Rehabilitation & Juvenile Detention Centers"

Washington State Department of Health