

Multiple Agency Fiscal Note Summary

Bill Number: 5005 S SB	Title: Jail system
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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
Office of Financial Management	0	0	282,000	0	0	0	0	0	0
Total \$	0	0	282,000	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 Governor	21.0	8,970,000	8,970,000	8,970,000	21.0	8,665,000	8,665,000	8,665,000	21.0	8,665,000	8,665,000	8,665,000
Office of Financial Management	.0	0	0	282,000	.0	0	0	0	.0	0	0	0
Criminal Justice Training Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	21.0	8,970,000	8,970,000	9,252,000	21.0	8,665,000	8,665,000	8,665,000	21.0	8,665,000	8,665,000	8,665,000

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 Governor	.0	0	0	.0	0	0	.0	0	0
Office of Financial Management	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.0	0	0	.0	0	0	.0	0	0
Department of Health	.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: Val Terre, OFM	Phone: (360) 280-3073	Date Published: Final 2/27/2025
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Individual State Agency Fiscal Note

Bill Number: 5005 S SB	Title: Jail system	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	21.0	21.0	21.0	21.0	21.0
Account					
General Fund-State 001-1	4,637,500	4,332,500	8,970,000	8,665,000	8,665,000
Total \$	4,637,500	4,332,500	8,970,000	8,665,000	8,665,000

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: Kelsey-anne Fung	Phone: 360-786-7479	Date: 01/30/2025
Agency Preparation: Kathy Cody	Phone: (360) 480-7237	Date: 02/07/2025
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 02/07/2025
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/13/2025

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 substitute bill removes language for the Jail Oversight Board and creates the Washington Jail Council within the Office of the Governor. The council is subject to amounts appropriated and its purpose is to promote jail transparency.

The substitute removed language that allowed the board to create advisory councils that would advise and support the work of the board (previously section 5).

Section 8 was renumbered to section 5 and removes the requirement for the statewide uniform jail system and adds a requirement for the council to:

- Collect, analyze and report information relating to the operations and conditions of Washington jails.
- Develop and administer a survey of jails at least annually.
- Monitor jails in Washington for compliance.
- Write and publish reports that include case studies or other information necessary to support findings and any related responses from the jails.

In addition, certain sections within the bill were renumbered.

SB 5005 establishes independent oversight of Washington's jail system to ensure transparency, support safe and humane conditions for jail employees and incarcerated individuals, promote reform towards a more rehabilitative and therapeutic jail system, reduce jails' exposure to litigation, and promote cost savings.

Section 3 – This bill creates the Jail Oversight Board within the Governor's Office.

Section 4 – The board is composed of seven (7) members appointed by the Governor.

Section 5 - Allows the board to create advisory councils that will advise and support the work of the board.

Section 6 – Provides guidance for the compensation of the board members (RCW 43.03.240) and advisory committees members (RCW 43.03.220) and travel reimbursement.

Section 7 – Subject to appropriation, the Governor must appoint a full-time director for the board. The director has a five (5) year term and can be reappointed or removed by the Governor. Also subject to appropriation, the director shall employ staff and make other expenditures as necessary.

Section 8 – The board will meet at least quarterly. The board or its staff must make recommendations, receive reports from the director, and transact business brought before the board to include, but not limited to:

- Maintain a website.
- Administer a statewide uniform jail reporting system as described in section 9.
- Maintain a publicly searchable database.
- Monitor each jail at least once every three years to report on compliance with applicable state and federal legal and constitutional requirements, rules, regulations, policies and best practices.
- Provide consultation to jail administrators.
- Serve as a member of all unexpected fatality review teams as described in section 13.
- Provide public comment and testimony.
- Adopt rules and policies necessary for implementation.
- Submit an annual report.

Section 9 - States that the board shall consult with organizations representing jail employees to develop the uniform jail reporting system.

Section 11 (6) - States that the director must contact the jail employee and the bargaining unit representative before reporting the results of an investigation that reveals information warranting possible sanctions or corrective action about a

jail employee.

- The Office estimates work related to bargaining units and organizations representing jail employees can be accomplished within current resources and therefore doesn't have a fiscal impact.

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 Governor's Office will require hiring the following positions to implement the bill:

- One (1) Director at \$150,000. Subject to amounts appropriated, the director must be a person of recognized judgment, integrity, and independence. Must hold office for a term of five (5) years or until the appointment of their successor.

- One (1) Deputy Director at \$140,000 to oversee the program staff and general operations.

- Five (5) Program Specialists at \$103,000, who will analyze and monitor the 59 jails within the 39 counties. The Governor's Office assumes five (5) program specialists can monitor four (4) jails each year to meet the reporting requirements. They would be responsible for:

- monitoring and reporting on jail compliance with applicable state and federal legal requirements,
- writing and publishing reports,
- investigating and reporting on specific and systemic issues relating to jails,
- providing technical assistance and consultation including informational support to jail administrators or their designees,
- assisting with the annual report to the Governor and the legislature in compliance with RCW 43.01.036.

- One (1) Executive Assistant at \$67,000 to assist the council and staff.

Based on the IT requirements and workload for CIJS and HIPPA security and data privacy compliance, the Governor's Office needs thirteen IT staff for anticipated workloads associated with setup and the ongoing work to support a segregated network and to meet these compliance requirements. The Governor's Office assumes IT services outside of OFM standard service (helpdesk), would be housed within the new agency.

IT staff would be as follows:

- Three (3) IT System Administration, Senior/Specialist (non-represented, range 07IT, Step L) at \$118,000. The new office must be completely separated from other state systems because of CJIS security and data privacy compliance requirements. It will require an FTE dedicated to IT systems as required in the bill and will include the following responsibilities:

- Data gathering
- Notification/Communication Management
- Virtual Server Management,
- Physical host hardware management
- Cloud Server/Storage Management

- Three (3) IT System Administration, Journey- (non-represented, range 06IT, Step L) at \$ 113,000, who will support the activities of the IT System Administration Senior Specialist.

- Two (2) Senior Data Scientists 3, Data Management at \$128,000 – Based on a similar job function within the Office of Financial Management, the Governor's Office assumes a scientist to act as a data steward for data received from

stakeholders and would require two FTEs to review and manage the data.

- Two (2) IT Customer Support at \$88,000 – Based on a similar job function within the Office of Financial Management, the Governor’s Office assumes IT Customer Support staff to manage and provide help desk services for stakeholders who use the new system. They will staff the desk full-time and cover other administrative duties as needed.
- One (1) IT Network & Telecommunications Sr Specialist at \$118,000, who will be responsible for:
 - Networking support for the cloud environment
 - Maintaining connectivity between cloud and on-premise environments
 - Administration of all firewalls, switches, load balancing, wireless connectivity, etc.
- One (1) IT Network and Telecommunications – Journey at \$108,000, who will be responsible for:
 - Backup support for the primary network engineer in
 - Networking support for the cloud environment
 - Connectivity between cloud and on-premise environments
 - Administration of all firewalls, switches, load balancing, wireless connectivity, etc.
- One (1) IT Security Sr Specialist at \$124,000, who will be responsible for:
 - Implementation and maintenance of information systems security programs, policies, procedures and tools.
 - Provide technology security audit, compliance, and monitoring.
 - Perform audit and compliance work for specialized security and data handling requirements.
 - Local Agency Security Officer (LASO) specific CJIS program duties.

Given the complexities of this system, the Governor’s Office assumes contracting costs for an off-the-shelf system that can be customized to meet the requirements of the bill. Based on a system recently purchased at the Office of Independent Investigations, the Governor’s Office assumes the contract to be \$500,000, with ongoing licensing and maintenance costs of \$300,000.

The bill requires compensation and reimbursement for seven (7) council members. The Governor’s Office assumes the council could meet up to ten (10) times a year and would require compensating the council members \$50.00 per day (not including travel per diem) and the council members can receive up to \$200 for stipends related to traveling and time. Assuming each council member will be in travel status 10 times per year, the Governor’s office estimates each member will have additional travel costs for hotel, meals, personal vehicle mileage and parking at \$3,000 per member, per year.

- Compensation for council members (7 x \$50.00 x 10 meetings = \$3,500)
- Travel costs for council and advisory members (\$3000 x 7 members = \$21,000)

The Governor based this cost estimate on previous experience and assumptions based on the bill language for creating a new office. Depending on how the office is created, the Governor's Office may require additional funds for unanticipated costs or staffing.

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. Given the privacy issues regarding this agency, we also assume additional costs related to rent for storage and privacy spaces (\$120,000 per year).

Travel: Based on average employee travel in FY 2019, the Office requires ongoing funding for travel associated with this position at \$4,000 per year, per FTE. In addition, given the travel requirements of program specialists and director, the Governor’s Office assumes additional travel costs including a permanently assigned vehicle from DES’s Motor Pool. Seven (7) vehicles at an estimated \$450 a month per each employee ($\$450 \times 7 \times 12 = \$37,800$).

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 standard IT desktop support, budget and accounting services, contract support, 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 \$630,000 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	4,637,500	4,332,500	8,970,000	8,665,000	8,665,000
Total \$			4,637,500	4,332,500	8,970,000	8,665,000	8,665,000

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	21.0	21.0	21.0	21.0	21.0
A-Salaries and Wages	2,347,000	2,347,000	4,694,000	4,694,000	4,694,000
B-Employee Benefits	726,000	726,000	1,452,000	1,452,000	1,452,000
C-Professional Service Contracts					
E-Goods and Other Services	683,000	483,000	1,166,000	966,000	966,000
G-Travel	143,000	143,000	286,000	286,000	286,000
J-Capital Outlays	105,000		105,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	3,500	3,500	7,000	7,000	7,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	630,000	630,000	1,260,000	1,260,000	1,260,000
Total \$	4,637,500	4,332,500	8,970,000	8,665,000	8,665,000

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
Deputy Director	140,000	1.0	1.0	1.0	1.0	1.0
DIRECTOR	150,000	1.0	1.0	1.0	1.0	1.0
EXECUTIVE ASSISTANT	67,000	1.0	1.0	1.0	1.0	1.0
IT Customer Support - Journey	88,000	2.0	2.0	2.0	2.0	2.0
IT Network & Telecommunications S Specialist	118,000	1.0	1.0	1.0	1.0	1.0
IT Network and Telecommunications – Journey	108,000	1.0	1.0	1.0	1.0	1.0
IT Security Sr Specialists	124,000	1.0	1.0	1.0	1.0	1.0
IT System Administration – Journey	113,000	3.0	3.0	3.0	3.0	3.0
IT System Administration – Senior/Specialist	118,000	3.0	3.0	3.0	3.0	3.0
Program Specialists	103,000	5.0	5.0	5.0	5.0	5.0
SENIOR DATA SCIENTIST 3, DAT/ MGMT	128,000	2.0	2.0	2.0	2.0	2.0
Total FTEs		21.0	21.0	21.0	21.0	21.0

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: 5005 S SB	Title: Jail system	Agency: 105-Office of Financial Management
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2026	FY 2027	2025-27	2027-29	2029-31
Statewide Information Tech System Maintenance & Operations Revolving Account-Non-Appropriated 472-6	282,000		282,000		
Total \$	282,000		282,000		

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
Account					
Statewide Information Tech System Maintenance & Operations Revolving Account-Non-Appropriated 472-6	282,000	0	282,000	0	0
Total \$	282,000	0	282,000	0	0

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Kelsey-anne Fung	Phone: 360-786-7479	Date: 01/30/2025
Agency Preparation: Kathy Cody	Phone: (360) 480-7237	Date: 02/11/2025
Agency Approval: Jamie Langford	Phone: 360-902-0422	Date: 02/11/2025
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/13/2025

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 - Creates the Jail Council within the Office of the Governor.

Section 3 - The Council is composed of seven (7) members appointed by the Governor. Requires council members to be reimbursed for travel expenses.

Section 4 - Subject to appropriation, the Governor shall appoint a full-time director for the Council. The director has a five (5) year term and can be reappointed or removed by the Governor. Also subject to appropriation, the director shall employ staff and make other expenditures as necessary.

Section 5 -The Council shall maintain a website, mailing address, toll-free telephone number, and a collect telephone number for the receipt of complaints and inquiries and the sharing of information. The council shall collect, analyze, and report information relating to the operation and conditions of Washington jails

Section 6 - Gives the ability to make audio and visual recordings of areas of jails accessible to or used by incarcerated individuals.

Assumption: The Jail Commission will be created as a standalone agency, following a similar model for when the Office of Independent Investigation was created recently.

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.

OFM distributes statewide costs incurred in fund 472 Statewide Information Tech System M&O Revolving account through the central service model. Assumed state-wide costs incurred in the account would be matched by an increase in the OFM Enterprise Application Fee.

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.

Based on the experience from creating the Office of Independent Investigation, there would be project coordination activities in implementing a council in the Governor's Office. The work is estimated at a half time contract project manager for twelve months to facilitate the activities required at OFM for implementing the Washington jail council.

- 1040 hours backfill Project Manager contractor at a rate of \$170.00 per hour (1040*\$170.00=\$176,800.00)

There are some administrative costs when new agencies are created and added to the State Enterprise systems. This impact will require contracted resources to perform the work or backfill existing staff. This work is estimated at a onetime cost of \$52,530.

- 230 hours for backfill of a ABAP developer for HRMS at a contract rate of \$171.00 per hour (230*\$171 = \$39,330)
- 20 hours for backfill of a Senior Business Analyst at a contract rate of \$165.00 per hour (20*\$165 = \$3,300)
- 10 hours for backfill of Business Solutions Analyst at a rate of \$160.00 per hour (10*\$160 = \$1,600)
- 5 hours for backfill of a Budget Analyst at a rate of \$165.00 per hour (5*\$165 = \$825)
- 5 hours for backfill of a Security Analyst at a rate of \$172.00 per hour (5*\$175.00 = \$875)

Work of creating a new agency in the Enterprise Systems:

Configure a new agency in HRMS -

The Human Resource Management System (HRMS) must be configured with all of the “company” data such as business area, personnel area, personnel sub-areas and the time management related tables for quotas, absence types, work schedules, wage types, etc. To accomplish the configuration of HRMS there will need to be coordination with the following agencies to establish unique identification numbers and subsequent configuration in HRMS: Internal Revenue Service, Labor and Industries, Department of Retirement Systems, Employment Security Department, Health Care Authority, and the statewide accounting group in the Office of Financial Management (OFM). This work is estimated at 230 hours.

Configure a new agency in statewide accounting systems -

The creation of a new agency in the statewide accounting systems requires the creation and configuration of the Workday foundational data models and establishing the Agency System Security Administrator for the:

- Accounting systems (AFRS, TEMS);
- Budget systems (BDS, SPS, CBS); and
- Contracts systems (ECMS, PSCD, SSCD) (Coordination with DES)

This work is estimated at 40 hours.

• 40 hours – Agency Financial Reporting System (AFRS) – Mainframe Developer Services at a contract rate of \$165.00 (40*\$165.00=\$6,600.00)

This fiscal note assumes this entity will not require interface with Workday, if necessary to provide this service, OFM estimates an additional 20-200 hours.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
472-6	Statewide Information Tech System Maintenance & Operations Revolving Account	Non-Appropriated	282,000	0	282,000	0	0
Total \$			282,000	0	282,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts	282,000		282,000		
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	282,000	0	282,000	0	0

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: 5005 S SB	Title: Jail system	Agency: 227-Criminal Justice Training Commission
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Part I: Estimates

☒ **No Fiscal Impact**

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Kelsey-anne Fung	Phone: 360-786-7479	Date: 01/30/2025
Agency Preparation: Francesca Heard	Phone: 206-610-8870	Date: 02/02/2025
Agency Approval: Francesca Heard	Phone: 206-610-8870	Date: 02/02/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 02/26/2025

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 the city, county, and regional jail system in Washington state; amending RCW 70.48.510; and adding a new chapter to Title 43 RCW.

NEW SECTION. Sec. 1. WASHINGTON JAIL COUNCIL—CREATION AND PURPOSE. Subject to the availability of funds appropriated for this specific purpose, there is hereby created the Washington jail council within the office of the governor. The purpose of the council is to promote jail transparency, support safe and humane conditions for jail employees and incarcerated individuals, encourage reform towards a more rehabilitative and therapeutic jail system, and reduce the exposure of jails to litigation.

This bill has no significant fiscal impact to the Criminal Justice Training Commission.

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.

This bill has no significant fiscal impact to the Criminal Justice Training Commission.

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: 5005 S SB	Title: Jail system	Agency: 303-Department of Health
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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: Kelsey-anne Fung	Phone: 360-786-7479	Date: 01/30/2025
Agency Preparation: Katherine Wolf	Phone: 3602363000	Date: 02/05/2025
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 02/05/2025
OFM Review: Amy Hatfield	Phone: (360) 280-7584	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.

This bill creates the Jail Oversight Council within the Governor's office, to ensure transparency and independent oversight of Washington's jail system, support safe and humane conditions for jail employees and incarcerated individuals, and promote reform towards a more rehabilitative and therapeutic jail system.

The substitute bill:

Creates the Washington Jail Council, instead of the Jail Oversight Board (sec. 1).

Removes advisory councils from the original bill.

Removes the requirement for the Council to monitor jails every three years and publish reports within two months of a visit (sec. 5e).

Removes the transition of responsibility to maintain the unexpected fatality review website from the Department of Health (DOH) to the Washington Jail Council, so that DOH is still required to maintain the website (sec. 9.d).

There is no change to fiscal impact in the substitute bill. Currently the Injury & Violence Prevention Program maintains a public webpage where all jail fatalities are reported. While the original bill would have shifted that responsibility over to the Jail Oversight Board, the substitute bill removes that transition in responsibility so that there would be no change to current work for the Department.

No Fiscal Impact.

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.

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: 5005 S SB	Title: Jail system
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☒ Cities: Indeterminate expenditure impact on jails as a result of completing jail survey at least annually, complying with information and facility access requirements
- ☒ 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: Washington Jail Council jail survey format, frequency of administration, required data fields; how monitoring visits and information requests may be implemented

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: 02/06/2025
Leg. Committee Contact: Kelsey-anne Fung	Phone: 360-786-7479	Date: 01/30/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/06/2025
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/13/2025

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 SSB 5005, comparing it to the impact of SB 5005.

CHANGES BETWEEN THIS BILL VERSION AND PREVIOUS BILL VERSION:

The substitute bill would make several changes from the original bill.

First, the entity the bill would create would not be called the Washington Jail Oversight Board, but rather the Washington Jail Council. Accordingly, references to the board would be replaced with references to the council throughout.

Second, the substitute would remove the requirement for a statewide uniform jail reporting system and for a publicly searchable database of the information collected using this system. Instead, the council would be required to collect, analyze and report information relating to the operation and conditions of Washington jails, and develop and administer a survey of jails at least annually.

Finally, the substitute would remove the requirement for monitoring each jail in Washington at least once every three years to monitor and report on jail compliance with applicable standards, requirements, rules, regulations, policies and best practices. Instead, the council would be required to monitor jails in Washington for compliance with their own jail policies, standards, rules or procedures, and whether those policies comply with applicable federal, state and local laws, rules, regulations and policies as related to the health, safety and welfare of incarcerated people and jail staff.

SUMMARY OF CURRENT BILL:

The proposed legislation would establish the Washington Jail Council.

Section 1 would create the Washington Jail Council within the Office of the Governor.

Section 3 would establish appointment and removal procedures for council members. The board would be required to include a current or former jail administrator and jail employee. This section would also specify that council members shall be compensated per RCW 43.03.240 and that council members shall be reimbursed for work-related travel expenses per RCW 43.03.050 and 43.03.060.

Section 5 would outline the powers and duties of the council. These would include collecting, analyzing and reporting information relating to the operation and conditions of Washington jails, and developing and administering a survey of jails at least annually. The council would also be required to monitor jails in Washington for compliance with their own jail policies, standards, rules or procedures, and whether those policies comply with applicable federal, state and local laws, rules, regulations and policies as related to the health, safety and welfare of incarcerated people and jail staff.

Section 6 would create a new section that establishes rules for accessing facilities, incarcerated individuals and information.

The director of the council and the director's designees would be required to have:

- Reasonable access to all areas of jails accessible to or used by incarcerated individuals. Access by such individuals may be subject to reasonable security and background investigation requirements of the jail. Any initial background investigation of an individual under this section must be completed within 48 hours, and any subsequent investigation of the same individual must be performed 24 promptly and shall not result in a delay of more than two hours;
- Reasonable opportunity to survey or interview privately and confidentially any incarcerated individual, jail employee, or other persons by mail, telephone, and in person;
- The ability to make audio and visual recordings of areas of jails accessible to or used by incarcerated individuals, provided that such visual recordings shall not depict the location or angles of security cameras; and
- The right to access, inspect, and copy any information, records, or documents in the possession or control of jail

administrators or their agents that the council considers necessary to carry out its purpose or to support its recommendations.

Following a written demand from the director or the director's designees for access to information, records, or documents, the entity from whom information is requested would be required to provide the information not later than 20 business days after the written demand. Where information pertains to a death, threats of bodily harm including, but not limited to, sexual or physical assaults, or the denial of necessary medical treatment, the information would be required to be provided within five days, unless the council consents to an extension of time.

Subsection 6 (3) would require that upon notice and a request by the council, a state or local government agency or entity that has records that are relevant to a complaint or an investigation conducted by the council must provide the council with access to such records.

Subsection 6 (4) would require a jail administrator or their designee to provide a written response to a monitoring report issued by the board within one month of receiving the report.

Subsection 6 (5) would require a jail administrator or their designee to provide accurate, complete, and timely information and data for the jail survey in section 5 of the proposed legislation.

Section 7 would establish the board as a “health oversight agency” so that jails, health care providers and others would not be precluded from providing information required by this section when requested by the council. Jails, health care providers and others would not be required to seek or obtain consent from incarcerated individuals prior to providing the information required by this section.

Section 9 would amend RCW 70.48.510, requiring a city or county department of corrections or chief law enforcement officer responsible for the operation of a jail to add the director of the council or their designee to the required members of an “unexpected fatality review team” when the death of an individual confined in jail is unexpected.

Section 10 would specify that sections 1 through 8 of the proposed legislation would constitute a new chapter in Title 43 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.

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

The proposed substitute bill would remove the requirement for a statewide uniform jail reporting system, and would instead require jails to complete a jail survey to be administered by the Washington Jail Council at least annually. It is unknown what the required elements of the annual jail survey or the frequency of the survey's administration may be, so the local government expenditure impact of completing this annual survey is indeterminate, however the Local Government Fiscal Note Program assumes that completing the survey would likely require less staff time than may have been required for inputting data into the statewide uniform jail reporting system.

EXPENDITURE IMPACT OF CURRENT BILL:

The proposed legislation would have an indeterminate expenditure impact on city and county jails.

Jail staff would be required to complete a jail survey administered by the Washington Jail Council at least annually, per the requirements of section 5 of the bill. It is unknown what form this survey may take, what data points would need to be reported, or what the frequency of required reporting might be, and WASPC indicates that the amount of staff time required to complete this survey could vary widely based on the breadth of the reporting requirements and the size of the jail facility. Accordingly, the statewide expenditure impact of regularly completing the Washington Jail Council's jail survey is indeterminate.

WASPC also indicates that it is difficult to estimate what the cost impact of complying with the information and facility access requirements of section 6 related to monitoring visits might be without knowing the details of how these visits and information requests may be implemented. Additionally, it is unknown how frequently the jail council may conduct these monitoring visits. Accordingly, the expenditure impact of complying with the information and facility access requirements of section 6 is indeterminate.

For illustrative purposes, WASPC indicates that doing so could require approximately 10 hours of staff time if facility visits and information requests concerned the same kinds of information as were listed under the statewide uniform jail reporting system in the previous bill version. The 2025 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average hourly salary plus benefits and overhead for a corrections staff member (officer or sergeant) employed by a city or county is approximately \$62. Accordingly, if jail monitoring visits and information requests concerned those illustrative subjects, each jail visit would require approximately \$620 in staff time.

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 1087, 2023

Local government fiscal note for SB 6083, 2024

Local government fiscal note for SSB 6189, 2024

Local Government Fiscal Note Program Criminal Justice Cost Model, 2025

Washington Association of Sheriffs and Police Chiefs