

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5202 E S SB	<b>Title:</b> Judicial orders
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## Estimated Cash Receipts

NONE

## 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	.1	166,200	166,200	166,200	.0	0	0	0	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	.0	1,000	1,000	1,000	.0	0	0	0	.0	0	0	0
Department of Corrections	In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	<b>0.1</b>	<b>167,200</b>	<b>167,200</b>	<b>167,200</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	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

<b>Prepared by:</b> Gaius Horton, OFM	<b>Phone:</b> (360) 819-3112	<b>Date Published:</b> Final 3/31/2025
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 5202 E S SB	<b>Title:</b> Judicial orders	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

STATE	FY 2026	FY 2027	2025-27	2027-29	2029-31
State FTE Staff Years	.2		.1		
<b>Account</b>					
General Fund-State 001-1	166,200		166,200		
State Subtotal \$	166,200		166,200		
COUNTY	FY 2026	FY 2027	2025-27	2027-29	2029-31
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2026	FY 2027	2025-27	2027-29	2029-31
City FTE Staff Years					
<b>Account</b>					
Local - Cities					
Cities Subtotal \$					

### Estimated Capital Budget Impact:

NONE

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.*

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Edie Adams	Phone: 360-786-7180	Date: 03/14/2025
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 03/17/2025
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/17/2025
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/18/2025

205,386.00

Request # 306-1

Part II: Narrative Explanation

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

The engrossed substitute bill adds a new sections setting an effective date.

The original bill made changes to civil protection orders and expanded the crime of unlawful possession of a firearm.

II. B - Cash Receipts Impact

None

II. C - Expenditures

IMPACT TO THE ADMINISTRATIVE OFFICE OF THE COURTS

TOTAL ESTIMATED COSTS: \$166,200 for FY26.

Impacts to AOC:

- System changes
- New event/docket codes will be required
- New bench book updates
- New required reporting

There will be a one-time cost in FY 26 of \$32,600 for code, manuals, and forms updates, as well as translation costs

System change estimates are 350 hours for preparing requirements, system development and configurations, quality assurance testing, manual updates, and business process documentation. These are the systems that would be affected:

- Judicial Information System (JIS)
- Superior Court Management Information System (SCOMIS)
- Superior Court Enterprise Justice (SC-EJ)
- Enterprise Data Repository (EDR)
- Data Reporting

The estimate included in the judicial impact note is \$126,300 based on 350 staff hours at an average of approximately \$212 per hour across multiple job classifications needed to complete the interface (Business Analyst, System Integrator, Senior System Integrator, IT Supervisor, and Manager).

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 30.59% of salaries.

Goods and Services are the agency average of \$3,600 per direct program FTE.

Travel is the agency average of \$2,000 per direct program FTE.

Ongoing Equipment is the agency average of \$1,800 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE.

Agency Indirect is calculated at a rate of 25.86% of direct program salaries and benefits.

Part III: Expenditure Detail

## Part III: Expenditure Detail

### III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	.2		.1		
Salaries and Wages	91,300		91,300		
Employee Benefits	28,300		28,300		
Professional Service Contracts					
Goods and Other Services	15,000		15,000		
Travel	400		400		
Capital Outlays	400		400		
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements	30,800		30,800		
<b>Total \$</b>	166,200		166,200		

### III. B - Expenditure By Object or Purpose (County)

NONE

### III. C - Expenditure By Object or Purpose (City)

NONE

### III. D - FTE Detail

Job Classification	Salary	FY 2026	FY 2027	2025-27	2027-29	2029-31
Court Program Analyst	86,700	0.2		0.1		
<b>Total FTEs</b>		0.2		0.1		0.0

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B1 - Expenditures by Object Or Purpose (State)

NONE

### IV. B2 - Expenditures by Object Or Purpose (County)

NONE

### IV. B3 - Expenditures by Object Or Purpose (City)

NONE

### IV. C - Capital Budget Breakout

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

NONE

205,386.00

Form FN (Rev 1/00)

None

205,386.00

Form FN (Rev 1/00)

Request # 306-1

Bill # 5202 E S SB

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5202 E S SB	<b>Title:</b> Judicial orders	<b>Agency:</b> 101-Caseload Forecast Council
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## Part I: Estimates

☒ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

NONE

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Edie Adams	Phone: 360-786-7180	Date: 03/14/2025
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 03/19/2025
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 03/19/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 03/27/2025

Part II: Narrative Explanation

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

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

See attachment.

II. B - Cash receipts Impact

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

None.

II. C - Expenditures

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

See attachment.

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.*

# **ESSB 5202**

## **JUDICIAL ORDERS**

### **101 – Caseload Forecast Council**

#### **March 14, 2025**

#### **SUMMARY**

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

- Section 1 Amends RCW 7.105.105 (Filing—Provisions governing all petitions) by increasing the documentation that must be accompanied by a petition for protection orders.
- Section 2 Amends RCW 7.105.310 (Relief for temporary and full protection orders—Other than for extreme risk protection orders) to include a new subsection (6) stating issuing mutual full protection orders of any type is disfavored.
- Section 3 Amends RCW 7.105.405 (Renewal of protection orders—Other than extreme risk protection orders) by changing renewal of a protection order to state a previously protected minor who reaches the age of 18 may petition for renewal of the order as an adult and allows up to one year from the date of expiration of the order to petition for renewal of the order as an adult.
- Section 4 Amends RCW 7.105.500 (Modification or termination—Other than extreme risk protection orders and vulnerable adult protection orders) by adding a new subsection (10) stating a protected party may file a motion to terminate or modify an ex parte order without notice to the respondent if the respondent has not yet been served. For all other such orders, a motion must be filed with notice given to all parties. Additionally, adds a new subsection (11) that allows judicial officers presiding over full hearings reissuing temporary orders per RCW 7.105.200 to modify terms to remedy an error or based on the facts of the case.
- Section 5 Amends RCW 9A.41.040 (Unlawful possession of firearms—Penalties) by expanding the definition of Unlawful Possession of a Firearm in the First Degree to include persons with an untraceable or undetectable firearm during any period of time that the person is subject to an order described in subsection (2)(a)(ii) of this section.
- Section 6 Adds a new section to chapter 7.105 RCW state that any full protection order or temporary protection order issued under this chapter after December 31, 2025, must be typewritten in its entirety, excluding the signature of the judge or court commissioner.
- Section 7 Section 1 of the act takes effect March 31, 2026.

#### **EXPENDITURES**

##### **Assumptions.**

None.

##### **Impact on the Caseload Forecast Council.**

None.

## **Impact Summary**

This bill:

- Expands the definition of an existing Class B felony offense.

### **Impact on prison and jail beds**

The Caseload Forecast Council has no information concerning how many more incidents of the expanded felony offense may occur. However, as a Class B felony offense ranked at Seriousness Level 7 on the Adult Felony Sentencing Grid, Unlawful Possession of a Firearm in the First Degree is punishable by a standard range term of confinement of between 15-20 months and 87-116 months in prison, depending on the individual's prior history. Therefore, increased incidence of this offense would likely impact prison beds.

### **Impact on Dept. of Corrections' Community Corrections (DOC) Caseload**

None. Community Custody for persons convicted of the offense of Unlawful Possession of a Firearm in the First Degree is not required upon release.

### **Impact on local detention and Juvenile Rehabilitation (JR) beds**

The bill expands the definition of Unlawful Possession of a Firearm in the First Degree. As a Class B felony offense considered as Category B on the juvenile sentencing grid (other offense equivalent to an adult Class B felony), punishment ranges from Local Sanctions (0-30 days confinement) to 52-65 weeks in a JR facility. Therefore, increased incidence of this offense could impact either local detention or JR beds.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5202 E S SB	<b>Title:</b> Judicial orders	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
<b>Account</b>					
General Fund-State 001-1	1,000	0	1,000	0	0
<b>Total \$</b>	1,000	0	1,000	0	0

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: Edie Adams	Phone: 360-786-7180	Date: 03/14/2025
Agency Preparation: John Ching	Phone: 360-791-0201	Date: 03/17/2025
Agency Approval: Wendi Gunther	Phone: 360-789-4001	Date: 03/17/2025
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 03/18/2025

## 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.*

An act relating to ensuring the efficacy of judicial orders as harm reduction tools that increase the safety of survivors of abuse and support law enforcement in their efforts to enforce the law; amending RCW 7.105.105, 7.105.405, 7.105.500, and 9.41.040; reenacting and amending RCW 7.105.310; adding a new section to chapter 7.105 RCW; and providing an effective date.

ESSB 5202 differs from the original bill in the following way:

Section 7 states that section 1 of the act takes effect March 31, 2026.

The following impacts remain unchanged from the previous bill version, SB 5202.

Section 5(1)(ii) is amended and changes Unlawful Possession of a Firearm in the First Degree to also include owning, accessing, having in the person's custody, control, or possession, or receiving any untraceable or undetectable firearm during any period the person was subject to an applicable protection order, no-contact order, or restraining order.

The effective date of all other sections other than section 1 is assumed to be 90 days after the adjournment of 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 updated bill language from SB 5202 to ESSB 5202 does not change the previous fiscal impact assumptions to the Department of Corrections.

The fiscal impact of this bill is indeterminate, assumed to be less than \$50,000 per Fiscal Year (FY).

This bill relates to ensuring the efficacy of judicial protection orders as harm reduction tools that increase the safety of survivors of abuse and support law enforcement in their efforts to enforce the law.

This bill would require updates to the Offender Management Network Information (OMNI) system.

### DOC DETERMINATE COSTS

#### Information Technology (IT) Impacts:

Customization of the Offender Management Network Information (OMNI) system is needed to meet the requirements of this legislation. Due to the complexity of completing the development, testing, and implementation of the statutory changes, contracted services are necessary in FY 2026.

To implement this legislation, OMNI data tables need to be updated to RCW 9.94A.525 for technical corrections.

#### Cost Calculation Estimate:

IT Application Developer| \$185 per hour x 4 hours = \$740

IT Business Analyst| \$185 per hour x 2 hours = \$370

IT Quality Assurance| \$185 per hour x 2 hours = \$370

Total \$1,480

#### DOC INDETERMINATE COSTS

##### Impact on prison and jail beds

The Caseload Forecast Council has no information concerning how many more incidents of the expanded felony offense may occur. However, as a Class B felony offense ranked at Seriousness Level 7 on the Adult Felony Sentencing Grid, Unlawful Possession of a Firearm in the First Degree is punishable by a standard range term of confinement of between 15-20 months and 87-116 months in prison, depending on the individual's prior history. Therefore, increased incidence of this offense would likely impact prison beds.

##### Impact on Dept. of Corrections' Community Corrections (DOC) Caseload

None. Community Custody for persons convicted of the offense of Unlawful Possession of a Firearm in the First Degree is not required upon release.

#### DOC STANDARD ASSUMPTIONS

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

The DOC assumes a Direct Variable Cost (DVC) of \$7,808 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services' direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with the Office of Financial Management, Senate, and House staff each legislative session.

For illustrative purposes only, the average annual Community Supervision caseload model is \$6,072 per ADP (not including startup costs), regardless of the supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records, and Training, that are directly affected by supervision population changes. The estimate will vary based on the risk level of the supervised individuals, which requires different staffing levels. The population trend data used is based on the Risk Level Classification tool and provides a risk level of 42.8% high violent, 27.3% high non-violent, 21% moderate, 7.9% low, and 1.0% unclassified. (June – November 2017).

The DOC assumes that any increase in community supervision caseload will result in an increased need for violator beds. For illustrative, the FY2024 average percentage of supervised individuals who served jail time and were billed by the local jurisdictions for violating their conditions of supervision was a rate of 2.0%. The current average daily cost for jail beds is \$123.24 per day, inclusive of all risk levels and healthcare costs. The rate is an average, and actual rates vary by local correctional facilities.

The DOC assumes additional impacts will result when ADP caseload changes in either prison or community and resources will be necessary. 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	1,000	0	1,000	0	0
Total \$			1,000	0	1,000	0	0

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					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts	1,000		1,000		
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 \$	1,000	0	1,000	0	0

In addition to the estimates above, there are additional indeterminate costs 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)

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
Admin and Support Services (100)	1,000		1,000		
Total \$	1,000		1,000		

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

**Part V: New Rule Making Required**

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



# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 5202 E S SB

**Title:** Judicial orders

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

### Legislation Impacts:

- ☒ **Cities:** Local law enforcement and city jails could incur indeterminate costs if they have to process additional incidents of unlawful possession of a firearm in the first degree.
- ☒ **Counties:** County clerks would incur indeterminate but significant expenditures to comply with notification requirements. Additionally, local law enforcement, prosecutors, public defenders and county jails could incur indeterminate costs if they have to process additional incidents of unlawful possession of a firearm in the first degree.
- ☐ **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:** Counties' cost to provide notifications, and the number of additional instances of unlawful possession of a firearm in the first degree that may occur as a result of the proposed legislation's expanded definition.

### 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: Kate Fernald	Phone: 564-200-3519	Date: 03/18/2025
Leg. Committee Contact: Edie Adams	Phone: 360-786-7180	Date: 03/14/2025
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/18/2025
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/18/2025

## Part IV: Analysis

### A. SUMMARY OF BILL

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

This fiscal note compares the engrossed substitute of SB 5202 to the original version of the bill. Please note that a local government fiscal note was not requested for the substitute version of the bill.

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

The proposed legislation would require superior courts and limited jurisdiction courts or clerks to notify a petitioner 90 days before the expiration of a protection order.

#### SUMMARY OF CURRENT BILL:

Sec. 1 amends RCW 7.105.105 (Filing—Provisions governing all petitions) by increasing the documentation that must be accompanied by a petition for protection orders. Specifically, superior courts and limited jurisdiction courts or clerks would be required to notify a petitioner 90 days before the expiration of a protection order.

Sec. 2 amends RCW 7.105.310 (Relief for temporary and full protection orders—Other than for extreme risk protection orders) to include a new subsection (6) stating issuing mutual full protection orders of any type is disfavored.

Sec. 3 amends RCW 7.105.405 (Renewal of protection orders—Other than extreme risk protection orders) by changing renewal of a protection order to state a previously protected minor who reaches the age of 18 may petition for renewal of the order as an adult and allows up to one year from the date of expiration of the order to petition for renewal of the order as an adult.

Sec. 4 amends RCW 7.105.500 (Modification or termination—Other than extreme risk protection orders and vulnerable adult protection orders) by adding a new subsection (10) stating a protected party may file a motion to terminate or modify an ex parte order without notice to the respondent if the respondent has not yet been served. For all other such orders, a motion must be filed with notice given to all parties. Additionally, adds a new subsection (11) that allows judicial officers presiding over full hearings reissuing temporary orders per RCW 7.105.200 to modify terms to remedy an error or based on the facts of the case.

Sec. 5 amends RCW 9A.41.040 (Unlawful possession of firearms—Penalties) by expanding the definition of Unlawful Possession of a Firearm in the First Degree to include persons with an untraceable or undetectable firearm during any period of time that the person is subject to an order described in subsection (2)(a)(ii) of this section.

Sec. 6 adds a new section to chapter 7.105 RCW to state that any full protection order or temporary protection order issued under this chapter after December 31, 2025, must be typewritten in its entirety, excluding the signature of the judge or court commissioner.

Sec. 7 states that Section 1 of the act takes effect March 31, 2026.

### 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.*

#### CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The proposed legislation would require superior courts and limited jurisdiction courts or clerks to notify a petitioner 90 days before the expiration of a protection order.

#### EXPENDITURE IMPACTS OF CURRENT BILL:

Counties would experience indeterminate but significant expenditure impacts due to the proposed legislation requiring superior courts and limited jurisdiction courts or clerks to notify a petitioner 90 days before the expiration of a protection

order. By expanding who is guilty of unlawful possession of a firearm in the first degree, the proposed legislation could also lead to an increase in instances of unlawful possession of a firearm in the first degree, which could increase demand for city and county jail beds. It is unknown, however, how many additional instances of unlawful possession of a firearm in the first degree may occur as a result of the expanded definition in the proposed legislation, or what the associated sentences might be, so the magnitude of the local government expenditure increase as a result of any increased demand for jail beds is indeterminate.

The Washington State Association of County Clerks reported that counties would incur indeterminate but significant fiscal impacts due to the proposed legislation requiring superior courts and limited jurisdiction courts or clerks to notify a petitioner 90 days before the expiration of a protection order. This would be new work requiring a new case type and requiring new notifications. Previously, petitioners could register with the Washington Victim Information and Notification Everyday (VINE) system for various notifications of this kind. To provide the proposed legislation's notifications, WSACC noted that courts and clerks would have to build a new process, which would cause county clerks to incur significant fiscal impacts to implement this change. Counties would have to program systems like Odyssey, King County Script, and Pierce County Legal Information Network eXchange (LINUX) to automatically send out notices, assuming that is possible. If it is not possible to reprogram the case management systems, the bill would require clerks and courts to manually review cases and send notices – a labor and time-intensive process that would include costs for postage if the notifications need to be sent out hard copy for people who do not have a means to receive electronic notifications as well as staffing costs to prepare, generate, and send out the notices. As such, counties would experience indeterminate but significant expenditures due to the proposed legislation requiring superior courts and limited jurisdiction courts or clerks to notify a petitioner 90 days before the expiration of a protection order.

Local law enforcement, prosecutors and public defenders could also incur costs if they have to process additional incidents of unlawful possession of a firearm in the first degree. It is unknown, however, how many additional incidents of this offense may occur as a result of the expanded definition in the proposed legislation, according to the Caseload Forecast Council, so the magnitude of any resulting increase in local government expenditures is indeterminate. The 2025 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the combined law enforcement, prosecution and public defense costs to process an incidence of a weapons law violation are approximately \$8,133. Additionally, the 2025 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost to occupy a jail bed is \$145.

## **C. SUMMARY OF REVENUE IMPACTS**

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

### **CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The proposed legislation would not impact local government revenue.

### **REVENUE IMPACTS OF CURRENT BILL:**

The proposed legislation would not impact local government revenue.

### **SOURCES:**

2025 Local Government Fiscal Note Program Criminal Justice Cost Model

Washington Administrative Office of the Courts

Washington Association of County Officials

Washington Association of Sheriffs and Police Chiefs

Washington State Association of County Clerks