

Multiple Agency Fiscal Note Summary

Bill Number: 1240 S HB AMS RAND S2828.2	Title: Firearms/assault weapons
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	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	2023-25				2025-27				2027-29			
	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	.0	0	0	0	.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 Revenue	Fiscal note not available											
Washington State Patrol	.0	120,000	120,000	120,000	.0	0	0	0	.0	0	0	0
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Criminal Justice Training Commission	.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 \$	0.0	120,000	120,000	120,000	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	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			1,154,520						
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			1,154,520						

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Department of Revenue	Fiscal note not available								
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Criminal Justice Training Commission	.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	2023-25			2025-27			2027-29		
	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

Prepared by: Tiffany West, OFM	Phone: (360) 890-2653	Date Published: Preliminary 4/12/2023
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Individual State Agency Fiscal Note

Bill Number: 1240 S HB AMS RAND S2828.2	Title: Firearms/assault weapons	Agency: 100-Office of Attorney General
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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:	Phone:	Date: 04/06/2023
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 04/07/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 04/07/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 04/07/2023

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.

1. The Attorney General's Office (AGO), Government Compliance and Enforcement (GCE) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. GCE provides program-specific litigation support to the Washington State Patrol (WSP) and litigates certification actions for the Criminal Justice Training Commission (CJTC). GCE assumes that any legal advice required by the rulemaking for the buy-back program created by this bill would be provided by CRJ. Because none of the provisions in this bill would impact any of the work handled by GCE for WSP or CJTC, there would be no fiscal impact from the enactment of this bill. Therefore, costs are not included in this request.

2. AGO Licensing and Administrative Law (LAL) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. The enactment of this bill will have little to no impact on the provision of legal services to the Department of Licensing (DOL) Firearms Program. The ban on assault weapons (and other similar accessories and attachments) is unlikely to cause a significant increase in DOL's need for AGO services. DOL will be required to report violations of this new bill to federal authorities, which could impact a dealer's federal firearms license, this reporting is unlikely to cause additional legal services. DOL is not expected to have any involvement with the proposed buyback program. It is possible that LAL would be asked for legal advice regarding interpretation of the additions and amendments or LAL would be asked to answer constituent correspondence, especially prior to and immediately after the law becomes effective. However, any new legal services are assumed to be nominal and costs are not included in this request.

3. AGO Criminal Justice (CRJ) Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload. The enactment of this bill will not impact the provision of legal services to WSP because while WSP will likely seek advice regarding the buyback program, to include support for rulemaking, the required hours will be limited. Any new legal services are assumed to be nominal and costs are not included in this request.

4. AGO Corrections Division (COR) has reviewed this bill and determined it will not significantly increase or decrease the division's workload. The enactment of this bill will not impact the provision of legal services to the Department of Corrections (DOC) because the bill expressly exempts state law enforcement agencies from the assault weapon prohibitions. Therefore, this bill will not affect DOC operations and costs are not included in this request.

5. AGO Administrative Division (ADM) has reviewed this bill and determined that there is no fiscal impact. This legislation is not expected to generate any costs or savings for AGO.

6. AGO Solicitor General's Office (SGO) has reviewed this bill and determined that there is no fiscal impact. This legislation is not expected to generate any costs or savings for AGO.

AGO Complex Litigation Division (COM) has reviewed this bill and determined it will not significantly increase or decrease the division's workload. Any new legal services are nominal and costs are not included in this request.

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.

Individual State Agency Fiscal Note

Bill Number: 1240 S HB AMS RAND S2828.2	Title: Firearms/assault weapons	Agency: 101-Caseload Forecast Council
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact:	Phone:	Date: 04/06/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 04/10/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 04/10/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/11/2023

Part II: Narrative Explanation

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

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

See attached.

II. B - Cash receipts Impact

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

None.

II. C - Expenditures

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

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

SHB 1240 (S-2828.2)

ESTABLISHMENT OF FIREARM-RELATED SAFETY MEASURES

**101 – Caseload Forecast Council
April 10, 2023**

SUMMARY

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

Section 1 Establishes a buy-back program administered by the Washington State Patrol.

Section 2 States the legislative intent of the bill.

Section 3 Amends RCW 9.41.040 by establishing definitions for Assault Weapon, Detachable Magazine, and Semiautomatic.

Section 4 Adds a new section to chapter 9.41 RCW that establishes a new gross misdemeanor offense concerning assault weapons.

Section 5 Adds a new section to chapter 9.41 RCW that establishes violations of Section 3 as unfair or deceptive act or practice or unfair method of competition in the conduct of trade or commerce for purposes of the consumer protection act.

Section 6 Contains a null and void clause.

Section 7 States the act shall take effect immediately.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impacts.

This bill:

- Establishes a new gross misdemeanor offense.

The Caseload Forecast Council has no information concerning how many incidents of the newly established gross misdemeanor may occur, nor any information concerning how such offenses would be sentenced. As such, the Caseload Forecast Council cannot reliably estimate bed impacts resulting from these provisions of the bill.

Impact on prison and jail beds

However, as a gross misdemeanor offense, the newly established offense would be punishable by a term of confinement of 0-364 days in jail for individuals sentenced as adults. Therefore, any impact would be on jail beds only.

Impact on Juvenile Rehabilitation and local beds

The establishment of a new gross misdemeanor offense, ranked as Category D on the juvenile grid, is punishable by Local Sanctions (0-30 days in local juvenile detention) for juveniles adjudicated for the offense. Therefore, any incidence of this offense would likely impact only local juvenile detention beds.

Individual State Agency Fiscal Note

Bill Number: 1240 S HB AMS RAND S2828.2	Title: Firearms/assault weapons	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
General Fund-State 001-1	120,000	0	120,000	0	0
Total \$	120,000	0	120,000	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:	Phone:	Date: 04/06/2023
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 04/07/2023
Agency Approval: Shawn Eckhart	Phone: 360-596-4083	Date: 04/07/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 04/10/2023

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 amendment to the substitute version of this bill has a fiscal impact to the Washington State Patrol (WSP) by establishing a buy-back program of assault weapons.

Section 2 of the proposed legislation adds definitions for "Assault Weapon", "Detachable Magazine", and "Semiautomatic".

Section 3 prohibits the manufacture, import, distribution, selling, and offering for sale of any assault weapon in the state, making those actions a gross misdemeanor.

Section 5 contains a null and void clause.

Section 6 states the act shall take effect immediately.

The amendment requires that the WSP create a buy-back program allowing those who are federally-licensed manufacturers, importers, or dealers headquartered in Washington state, to sell their existing inventory of assault weapons to the state for their wholesale value, capped at \$500 per weapon. The WSP will adopt rules to implement the program. Options to sell the weapons to the state must be provided in different regions across the state. The weapons must have been acquired by the seller before January 1, 2023. The purpose of the purchase of the weapons by the state is for their destruction. This program is subject to availability of funds and expires January 1, 2024.

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.

Subsection 3(1) bans the manufacture, import, distribution, selling, and offering for sale of any assault weapon in the state, with exceptions laid out in subsection 3(2). Among those exceptions are manufacture, import, distribution, sale, or offer for sale of assault weapons by licensed firearms manufacturers or dealers who are properly licensed under federal and state law (subsections 3(2)(a) and 3(2)(b) respectively) for the purpose of sale to any person who does not reside in Washington state, branch of the armed forces of the United States or the state of Washington, or to a federal or state law enforcement agency so long as it is for the explicit use by that agency or its employees for law enforcement purposes.

Subsection 3(2)(c) further adds an exception for the distribution, offer for sale, or sale of an assault weapon to or by a properly licensed dealer, where the dealer acquires the assault weapon from an individual legally authorized to possess or transfer said assault weapon, for the purpose of selling or transferring the assault weapon to a person who does not reside in the state. Furthermore, subsection 3(2)(c) goes on to say the intent of the section is to allow individuals who no longer wish to own an assault weapon to sell their assault weapon.

As a law enforcement agency, we have weapons that are classified under the definition of "Assault Weapon" in the proposed legislation. Common practice when we purchase new weapons is to trade in old weapons to manufacturers and dealers in return for discounts on the new weapons. None of the exceptions account for this unique situation, and thus we

must assume we will no longer be allowed to continue the practice of trading in "Assault Weapons" when we purchase new ones. We assume we can absorb any costs associated with no longer receiving discounts.

To implement the buyback program proposed in the amendment, we estimate the cost to administer the program, mostly in labor costs, at \$120,000. This includes costs to conduct transactions, manage paperwork, and transfer, secure, and destroy the weapons. We are unable to determine the cost to purchase the weapons as we are unable to estimate the volume or valuation of weapons that may be sold to us. That is the indeterminate cost in this fiscal note.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	120,000	0	120,000	0	0
Total \$			120,000	0	120,000	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 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages	90,897		90,897		
B-Employee Benefits	27,838		27,838		
C-Professional Service Contracts					
E-Goods and Other Services	1,265		1,265		
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 \$	120,000	0	120,000	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)

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.

The amendment requires us to establish rules for the assault weapons buyback program established by the amendment.

Individual State Agency Fiscal Note

Bill Number: 1240 S HB AMS RAND S2828.2	Title: Firearms/assault weapons	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:	Phone:	Date: 04/06/2023
Agency Preparation: Brian Elliott	Phone: 206-835-7337	Date: 04/10/2023
Agency Approval: Brian Elliott	Phone: 206-835-7337	Date: 04/10/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/11/2023

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 has no fiscal impact to the Washington State 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.

This bill has no cash receipt impact.

II. C - Expenditures

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

This bill has no expenditure impact.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

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: 1240 S HB AMS RAND S2828.2	Title: Firearms/assault weapons	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:	Phone:	Date: 04/06/2023
Agency Preparation: Jaysanna Wang	Phone: (360) 725-8428	Date: 04/11/2023
Agency Approval: Ronell Witt	Phone: (360) 489-4417	Date: 04/11/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/11/2023

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 1240 AMS RAND S2828.2 is the newest version of House Bill 1240 which adds a new section to RCW 43.43 for Washington State Patrol to establish and administer an assault weapon buy-back program.

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.

We assume this bill will have no fiscal impact to Department of Corrections (DOC).

It is assumed that this added language does not change the impact to DOC.

Previous Versions Bill Language Impact to DOC

The Caseload Forecast Council has no information concerning how many incidents of the newly established gross misdemeanor may occur, nor any information concerning how such offenses would be sentenced. As such, the Caseload Forecast Council cannot reliably estimate bed impacts resulting from the provisions of the bill.

Impact on prison and jail beds:

As a gross misdemeanor offense, the newly established offense would be punishable by a term of confinement of 0-364 days in jail for individuals sentenced as adults. Therefore, any impact would be on jail beds only and this bill will have 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

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: 1240 S HB AMS RAND S2828.2	Title: Firearms/assault weapons
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Part I: Jurisdiction—Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:** Approximately \$885,720 to provide training to law enforcement officers on new criminal offense; indeterminate expenditure impact on law enforcement as a result of processing incidents of new gross misdemeanor offense; indeterminate expenditure impact due to increased demand for jail beds; indeterminate increased expenditures for local law enforcement agencies that choose to participate in assault weapons buyback program
- Counties:** Approximately \$268,800 to train law enforcement officers on new criminal offense; indeterminate expenditure impact on enforcement, prosecutors and public defenders as a result of processing incidents of new gross misdemeanor offense; indeterminate expenditure impact due to increased demand for jail, juvenile detention beds; indeterminate increased expenditures for local law enforcement agencies that choose to participate in assault weapons buyback program
- Special Districts:**
- Specific jurisdictions only:**
- Variance occurs due to:**

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:** Approximately \$1,154,520 to provide training to local law enforcement officers on new criminal offense
- Legislation provides local option:** Local law enforcement agencies could opt to participate in the assault weapon buyback program that the Washington State Patrol would be required to establish and administer
- Key variables cannot be estimated with certainty at this time:** Number of incidents of new gross misdemeanor offense that may occur; number of local law enforcement agencies that may choose to participate in assault weapons buyback program; number of buyback events participating agencies may put on; number of forfeited weapons participating agencies may collect

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	885,720		885,720		
County	268,800		268,800		
TOTAL \$	1,154,520		1,154,520		
GRAND TOTAL \$					1,154,520

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

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 04/11/2023
Leg. Committee Contact:	Phone:	Date: 04/06/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 04/11/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 04/11/2023

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 impact of SHB 1240 AMS RAND S2828.2, comparing it to the impact of SHB 1240.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The amendment to the substitute bill would require the Washington State Patrol (WSP) to establish and administer an assault weapons buyback program. Local law enforcement agencies could opt to participate in this program.

SUMMARY OF CURRENT BILL:

Section 1 would add a new section to chapter 43.43 RCW, requiring WSP to establish and administer an assault weapons buyback program. Subject to amounts appropriated, federal firearms dealers, importers or manufacturers that are headquartered in Washington would be able to relinquish an assault weapon, as defined in RCW 9.41.010 (2) (a), in exchange for the wholesale value of the weapon or \$500, whichever is less.

Local law enforcement agencies could choose to participate in this program, and WSP would be required to reimburse participating local agencies for payments made as part of the buyback program.

This section would expire on January 1, 2024.

Section 2 would amend RCW 9.41.010, adding definitions of “assault weapon,” “detachable magazine” and “semiautomatic.”

Section 3 would add a new section to chapter 9.41 RCW, creating a new gross misdemeanor for manufacturing, importing, distributing, selling or offering for sale any assault weapon, as defined in section 2. Section 3 would also specify exemptions to the newly created gross misdemeanor offense, such as assault weapons sales by properly licensed dealers to an armed forces branch or law enforcement agency.

Section 6 states that the bill 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.

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

The amendment would create a local option for law enforcement agencies to participate in an assault weapons buyback program that would be established and administered by the Washington State Patrol (WSP). Local law enforcement agencies that chose to participate in the program would incur indeterminate additional expenditures, detailed below.

EXPENDITURE IMPACT OF CURRENT BILL:

The proposed legislation would have both determinate and indeterminate impacts on local government expenditures.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), all local law enforcement officers would need to go through training regarding the new offense this bill would create. WASPC estimates that approximately two hours of training would be required per law enforcement officer. This training would require a one-time cost of \$885,720 for cities and \$268,800 for counties, for a total one-time cost to local governments of \$1,154,520.

The 2021 Crime in Washington Report conducted by WASPC states that there are 6,710 commissioned officers in police departments and 2,240 commissioned officers in sheriff’s departments, for a total of 8,950 commissioned law enforcement employees that would require training. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$66, and the

same figure for an officer employed by a county to be \$60. If every officer in Washington had to complete approximately two hours of training, the cost to local governments would be:

Cities:

6,710 officers X 2 hours X \$66 = \$885,720

Counties:

2,240 officers X 2 hours X \$60 = \$268,800

Total:

\$885,720 + \$268,800 = \$1,154,520

Training materials and time required may differ among different departments, however.

According to the Washington State Caseload Forecast Council's (CFC) fiscal note on this bill, the creation of a new gross misdemeanor offense, punishable by 0-364 days in jail, could increase demand for jail beds. However, since it is unknown how many incidents of the new offense may occur, the associated expenditure impact on local governments is indeterminate. The 2023 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost of occupying a jail bed is \$145.

According to the CFC fiscal note for this bill, the creation of a new gross misdemeanor offense, ranked at category D on the juvenile sentencing grid, and punishable by a standard range term of 0-30 days in local juvenile detention, could also increase demand for county juvenile detention beds. The Local Government Fiscal Note Program does not have detailed information on the costs of juvenile detention, however the average daily rate for juvenile detention beds is generally higher than the same figure for a jail bed. Additionally, it is unknown how many juvenile incidents of the new gross misdemeanor offense may occur, so the total increase in county juvenile detention expenditures as a result of this bill's provisions is indeterminate.

In addition to bed impacts, the creation of a new gross misdemeanor offense could increase law enforcement, prosecution and public defense expenditures as a result of processing incidents of the new offense. According to the 2023 Local Government Fiscal Note Program Criminal Justice Cost Model, the combined law enforcement, prosecution and public defense costs to process an incident of a gross misdemeanor are \$5,660. However, given that it is unknown how many incidents of the new offenses may occur, the magnitude of the expenditure impacts on local governments from processing incidents of this offense is indeterminate.

Local law enforcement agencies that chose to participate in the WSP administered assault weapons buyback program would incur additional indeterminate expenditures. According to WASPC, these indeterminate expenditures would include both commissioned officer, and evidence or records staff time to participate in buyback events, ballistics testing of forfeited weapons, costs associated with securing and storing forfeited weapons, and costs associated with transferring forfeited weapons to WSP for destruction or disposal. It is unknown how many local law enforcement agencies may choose to participate in the buyback program, how many buyback events participating agencies may offer, or how many assault weapons may be forfeited to participating local law enforcement agencies, so the expenditure impact on agencies choosing to exercise this local option is indeterminate.

Both WASPC and WSP indicate, however, that they expect few local law enforcement agencies would participate in the assault weapons buyback program, in part because of the costs and logistical challenges involved.

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 IMPACT BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The amendment would not change the local government revenue impact that the substitute bill would have had.

REVENUE IMPACT OF CURRENT BILL:

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

SOURCES:

Crime in Washington Report, 2021

Local Government Fiscal Note Program Criminal Justice Cost Model, 2023

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council

Washington State Patrol