

Multiple Agency Fiscal Note Summary

Bill Number: 1562 S HB	Title: Violence
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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						
Loc School dist-SPI						
Local Gov. Other	Fiscal note not available					
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	.1	19,700	19,700	19,700	.0	0	0	0	.0	0	0	0
Caseload Forecast Council	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Licensing	Fiscal note not available											
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.1	19,700	19,700	19,700	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									
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

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	.0	0	0	.0	0	0	.0	0	0
Caseload Forecast Council	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	Fiscal note not available								
Department of Children, Youth, and Families	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Cynthia Hollimon, OFM	Phone: (360) 810-1979	Date Published: Preliminary 2/24/2023
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Judicial Impact Fiscal Note

Bill Number: 1562 S HB	Title: Violence	Agency: 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 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years	.1		.1		
Account					
General Fund-State 001-1	19,700		19,700		
State Subtotal \$	19,700		19,700		
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
Account					
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: Yvonne Walker	Phone: 360-786-7841	Date: 02/19/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/22/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/22/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/22/2023

184,609.00

Request # 203-1

Part II: Narrative Explanation

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

The substitute would not make any changes affecting the fiscal impact to the Administrative Office of the Courts or the courts.

This bill would change the eligibility criteria for firearms possession by:

- * Changing the definition of firearms.
- * Adding driving under the influence related juvenile felonies to the definition of a serious offense.
- * Expanding the definition of "conviction" to include dismissals after a period of probation, suspension or deferral of sentence when finding of guilt entered.
- * Expanding unlawful possession to include when a person accesses or has in their custody or control, receives, purchase, or attempts to receive or purchase any firearm after previous conviction or when found not guilty by reason of insanity.
- * Expanding unlawful possession to include certain misdemeanor offenses and violations of order to surrender, extreme risk protection orders, or any protection order or no contact order restraining a person from a residence.
- * Creating a new section outlining procedures for a person to petition for restoration of firearm rights.

II. B - Cash Receipts Impact

None

II. C - Expenditures

The bill would require changes to both superior and district court firearm forms.

Additionally, significant changes would need to be made to the Juvenile Corrections Systems (JCS) database. JCS is used by juvenile courts for tracking cases: referrals, monitoring, and support for juvenile needs during the life of a case and post-adjudication supervision. The JCS relies on data from existing superior court and courts of limited jurisdiction systems (Odyssey, SCOMIS, legacy Judicial Information System).

The firearm rights screen in JCS informs the court on ineligibility to possess firearms and would require changes to implement this bill. Any new codes in case management systems would have to be captured here. Juvenile sentencing worksheets are complex and must consider violations on referrals, dispositions, past history and other adjusting factors, such as firearms.

ADMINISTRATIVE OFFICE OF THE COURTS

This bill would have the following fiscal impact on the Administrative Office of the Courts (AOC).

FTE: 0.10

FY 2024: \$19,700 one-time

COURT FORMS

This bill would require changes to court forms which would take approximately 75 hours of work by a Legal Services Senior Analyst (\$8,000 one-time).

Legal Services Senior Analyst. Beginning July 1, 2023 through June 30, 2024, AOC would require salary, benefits, and associated standard costs for 0.04 FTE to update required court forms.

JUVENILE AND CORRECTIONS SYSTEM (JCS)

This bill would require changes to the database used by juvenile courts. System development and testing would take approximately 140 hours of work (\$11,700 one-time).

IT Solutions Architect and System Support Analyst. Beginning July 1, 2023 through June 30, 2024, AOC would require salary, benefits, and associated standard costs for 0.06 FTE to make system updates.

AOC STAFF IMPACTS INCLUDE STANDARD COSTS

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

184,609.00

Form FN (Rev 1/00)

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Request # 203-1

Bill # 1562 S HB

Goods and Services are the agency average of \$3,800 per direct program FTE.

Travel is the agency average of \$2,500 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE. Ongoing Equipment is the agency average of \$1,600 per direct program FTE.

Agency Indirect is calculated at a rate of 24.73% 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 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	.1		.1		
Salaries and Wages	11,500		11,500		
Employee Benefits	3,700		3,700		
Professional Service Contracts					
Goods and Other Services	400		400		
Travel	200		200		
Capital Outlays	200		200		
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements	3,700		3,700		
Total \$	19,700		19,700		

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 2024	FY 2025	2023-25	2025-27	2027-29
IT Solutions Architect and System	109,300	0.1		0.0		
Support Analyst						
Legal Services Senior Analyst	114,400	0.0		0.0		
Total FTEs		0.1		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

184,609.00

Form FN (Rev 1/00)

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

None

Individual State Agency Fiscal Note

Bill Number: 1562 S HB	Title: Violence	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: Yvonne Walker	Phone: 360-786-7841	Date: 02/19/2023
Agency Preparation: Clela Steelhammer	Phone: 360-664-9381	Date: 02/22/2023
Agency Approval: Clela Steelhammer	Phone: 360-664-9381	Date: 02/22/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/22/2023

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 1562
REDUCE HARM ASSOCIATED WITH GUN
VIOLENCE, GENDER-BASED VIOLENCE, AND
OTHER TYPES OF VIOLENCE
101 – Caseload Forecast Council
February 21, 2023

SUMMARY

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

- Section 1 States the legislative intent of the bill.
- Section 2 Amends RCW 9.41.010 by expanding the definition of “firearm” to include frames and receivers for purposes of RCW 9.41.040. Additionally amends the definition of “serious offense” to include Driving while under the Influence and Physical Control of a Vehicle with under the Influence felony charges. Adds definitions for “conviction” or “convicted”, “domestic violence”, and “sex offense”.
- Section 3 Amends RCW 9.41.040 by expanding the definitions of the Class B felony offense of Unlawful Possession of a Firearm in the First Degree (ranked at Seriousness Level 7 on the adult felony sentencing grid) and the Class C felony offense of Unlawful Possession of a Firearm in the Second Degree (ranked at Seriousness Level 3 on the adult felony sentencing grid). Additionally moves language regarding the right to petition to have firearm rights restored to Section 4 of the act and adds a reference to the new section.
- Section 4 Adds a new section to chapter 9.41 RCW regarding the right to petition for firearm rights restoration. Clarifies the time period required for the filing of a firearm restoration petition.
- Section 5 Amends RCW 9.41.047 by updating terms, and including references and timelines associated with individuals found not guilty by reason of insanity.

EXPENDITURES

Assumptions.

None.

Impact on the Caseload Forecast Council.

None.

Impact Summary

- Expands the definitions of existing Class B and C felonies

Impact on Prison and Jail beds

The Caseload Forecast Council has no information concerning how many more incidents of the expanded felonies offenses may occur. However, as a Class C felony offense ranked at Seriousness Level 3 on the Adult Felony Sentencing Grid, Unlawful Possession of a Firearm in the Second Degree (UPF2) is punishable by a standard range term of confinement of between 1-3 months in jail and 51-68 months in prison (limited to 60 months by the statutory maximum sentence for Class C felonies), depending on the individual's prior history. The Class B felony offense of Unlawful Possession of a Firearm in the First Degree (UPF1) is ranked at Seriousness Level 7 on the Adult Felony Sentencing Grid, and is punishable by a standard range term of confinement of between 15-20 months and 87-116 months in prison. Therefore, increased incidence of these offenses would likely impact both jail beds and prison beds.

Impact on Department of Corrections (DOC) Supervision Caseload

The bill has no impact to DOC supervision caseload.

Impact on Juvenile Rehabilitation (JR) and local beds

There is no impact to juvenile sentencing for the expanded definition for UPF2. Per RCW 9.41.040(2)(a)(vi), persons under the age of eighteen are already restricted from owning, having in her or his possession, or having in his or her controls, firearms; and as such, expanding of the definition of UPF2 under the provision of this act will not result in any additional adjudications of this offense.

The bill also expands the definition of UPF1. The Caseload Forecast Council has no information concerning how many more incidents of the expanded felony offense may occur. However, as a Category B on the Juvenile Offender Sentencing Grid, UPF 1 is punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 52-65 weeks in JR. As a result, there may be an increased need for local detention and JR beds.

There may also be an additional increased need for JR beds. Current statutes require individuals sentenced in adult court for an offense committed before the age of 18 to serve to their confinement at a JR facility until age 25, or until release if occurring prior to age 25. By expanding the definition for UPF1 and UPF 2, there may be additional convictions by individuals who commit the offense while under the age of 18 and sentenced as an adult. As less than 1% of all sentences in the adult system are committed by those less than age 18, it assumed any impacts to JR would be minimal for this population.

Individual State Agency Fiscal Note

Bill Number: 1562 S HB	Title: Violence	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/19/2023
Agency Preparation: Kendra Sanford	Phone: 360-596-4080	Date: 02/23/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/23/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/23/2023

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 proposed legislation may create a fiscal impact to the Washington State Patrol (WSP).

Section 3 adds additional felonies that prohibit a person from possessing a firearm.

New Section 4(1) prohibits a person to petition a court to reinstate their right to possess a firearm if the person has been convicted or found not guilty by reason of insanity for certain felonies.

New Section 4(2) establishes timelines and criteria for when a convicted person can petition a court to reinstate their right to possess a firearm.

Section 4(4) requires the court to notify the WSP that the person's right to possess a firearm has been restored.

Section 5(1)(a) requires all firearms and any conceal pistol licenses to be surrendered immediately when a person is convicted or found not guilty by reason of insanity of certain felonies. The person may not possess a firearm unless the person's right is restored by the superior court that issued the order.

Section 5(1)(b) requires the court to submit a convicted person's information to the WSP if the person is convicted of certain felonies.

Section 5(3)(a) allows a person found not guilty by reason of insanity of certain felonies to petition to restore their right to possess a firearm one year after discharge.

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 currently receive restoration notices by the person of record. Section 4(4) requirement that the courts send us this notice may increase the number of restoration notices we receive, but we are unable to determine if this will increase workload at this time.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1562 S HB	Title: Violence	Agency: 307-Department of Children, Youth, and Families
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/19/2023
Agency Preparation: Joseph Piper	Phone: 360-915-4627	Date: 02/23/2023
Agency Approval: Sarah Emmans	Phone: 360-628-1524	Date: 02/23/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/24/2023

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.

Comparison of 1562 HB to 1562 SHB

Section 2 Amends RCW 9.41.010 by expanding the definition of “firearm” to include frames and receivers for purposes of RCW 9.41.040. Additionally amends the definition of “serious offense” to include Driving while under the Influence and Physical Control of a Vehicle with under the Influence felony charges. Adds definitions for “conviction” or “convicted”, “domestic violence”, and “sex offense”.

Section 3 Amends RCW 9.41.040 by expanding the definitions of the Class B felony offense of Unlawful Possession of a Firearm in the First Degree (ranked at Seriousness Level 7 on the adult felony sentencing grid) and the Class C felony offense of Unlawful Possession of a Firearm in the Second Degree (ranked at Seriousness Level 3 on the adult felony sentencing grid). Additionally moves language regarding the right to petition to have firearm rights restored to Section 4 of the act and adds a reference to the new section.

Section 4 Adds a new section to chapter 9.41 RCW regarding the right to petition for firearm rights restoration. Clarifies the time period required for the filing of a firearm restoration petition.

Section 5 Amends RCW 9.41.047 by updating terms, and including references and timelines associated with individuals found not guilty by reason of insanity.

1562 SHB

SHB 1562 amends laws relating to unlawful possession of firearms by adding certain crimes that prohibit individuals from possessing a firearm and by making changes to the restoration of firearm possession rights following criminal conviction.

Section 2 Amends RCW 9.41.010 by expanding the definition of “firearm” to include frames and receivers for purposes of RCW 9.41.040. Additionally amends the definition of “serious offense” to include Driving while under the Influence and Physical Control of a Vehicle with under the Influence felony charges. Adds definitions for “conviction” or “convicted”, “domestic violence”, and “sex offense”.

Section 3 Amends RCW 9.41.040 by expanding the definitions of the Class B felony offense of Unlawful Possession of a Firearm in the First Degree (ranked at Seriousness Level 7 on the adult felony sentencing grid) and the Class C felony offense of Unlawful Possession of a Firearm in the Second Degree (ranked at Seriousness Level 3 on the adult felony sentencing grid). Additionally, moves language regarding the right to petition to have firearm rights restored to Section 4 of the act and adds a reference to the new section.

Section 4 Adds a new section to chapter 9.41 RCW regarding the right to petition for firearm rights restoration. Clarifies the time period required for the filing of a firearm restoration petition.

Section 5 Amends RCW 9.41.047 by updating terms, and including references and timelines associated with individuals found not guilty by reason of insanity.

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.

Indeterminate fiscal impact. The Department of Children, Youth, and Families (DCYF) anticipates that there may be an increased need for local detention and Juvenile Rehabilitation beds, based on information and analysis provided by the Caseload Forecast Council.

There is no impact to juvenile sentencing for the expanded definition for Unlawful Possession of a Firearm in the Second Degree (UPF2). Per RCW9.41.040(2)(a)(vi), persons under the age of eighteen are already restricted from owning, having in her or his possession, or having in his or her controls, firearms. Expanding the definition of UPF2 will not result in any additional adjudications of this offense.

The bill also expands the definition of Unlawful Possession of a Firearm in the First Degree (UPF1). DCYF is unable to estimate how many more incidents of the expanded felony offense may occur. As a Category B on the Juvenile Offender Sentencing Grid, UPF 1 is punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 52-65 weeks in Juvenile Rehabilitation. As a result, there may be an increased need for local detention and JR beds.

There may also be an additional increased need for JR beds, but it is assumed to be minimal. Current statutes require individuals sentenced in adult court for an offense committed before the age of 18 to serve their confinement at a JR facility until age 25, or until release if occurring prior to age 25. By expanding the definition for UPF1 and UPF2, there may be additional convictions by individuals who commit the offense while under the age of 18 and sentenced as an adult. According to the Caseload Forecast Council, fewer than 1% of all sentences in the adult system are committed by those less than age 18.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

None.

Part V: New Rule Making Required

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

Individual State Agency Fiscal Note

Bill Number: 1562 S HB	Title: Violence	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Yvonne Walker	Phone: 360-786-7841	Date: 02/19/2023
Agency Preparation: Nicole Trexler	Phone: (360) 725-8428	Date: 02/23/2023
Agency Approval: Ronell Witt	Phone: (360) 725-8428	Date: 02/23/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/24/2023

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.

Current Bill:

Section 3 amends RCW 9.41.040 to state that if a person is guilty of a crime of unlawful possession of a firearm in the first degree, if the person owns, accesses, has in their custody, control, or possession, receives any firearm after having previously been convicted or found not guilty by reason of insanity. It removes the language stating attempt to receive or purchase a firearm from this bill.

Previous Bill:

This bill is related to reducing the risks of lethality and other harm associated with gun, gender-based, and other types of violence by clarifying and updating the laws associated with the unlawful possession of firearms and restoration of firearm rights.

Section 2 adds language that includes “serious offense” as a felony charge under RCW 46.61.502(6) or 46.61.504(6) which includes driving while under the influence and physical control of a vehicle with under the influence felony charges. Additionally, it defines “sex offense” as the same meaning in RCW 9.94A.030 and “conviction” or “convicted” as if a plea of guilty has been accepted or a verdict of guilty has been filed or a finding of guilt has been entered.

Section 3 amends RCW 9.41.040 to state that is a person is guilty of a crime of unlawful possession of a firearm in the first degree, if the person owns, accesses, has in their custody, control, or possession, receives, purchases, or attempts to received or purchase any firearm after having previously been convicted or found not guilty by reason of insanity.

Effective date is assumed to be 90 days after 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 fiscal impact of this bill is indeterminate, assumed to be greater than \$50,000 per Fiscal Year (FY). This bill expands the definitions of existing class B and C felonies and adds to the offenses that would prohibit individuals from owning, or having possession of, a firearm.

The Caseload Forecast Council (CFC) has no information concerning how many more incidents of the expanded felonies offenses may occur. However, as a Class C felony offense ranked at Seriousness Level 3 on the Adult Felony Sentencing Grid, Unlawful Possession of a Firearm in the Second Degree (UPF2) is punishable by a standard range term of confinement of between 1-3 months in jail and 51-68 months in prison (limited to 60 months by the statutory maximum sentence for Class C felonies), depending on the individual’s prior history. The Class B felony offense of Unlawful Possession of a Firearm in the First Degree (UPF1) is ranked at Seriousness Level 7 on the Adult Felony Sentencing Grid and is punishable by a standard range term of confinement of between 15-20 months and 87-116 months in prison. Therefore, increased incidence of these offenses would likely impact both jail beds and prison beds.

Assumptions:

- 1. The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.
- 2. We assume Direct Variable Cost (DVC) of \$6,980 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 Office of Financial Management, Senate, and House staff each legislative session.
- 3. We assume additional impacts will result when ADP caseload changes in either prison or community, and resources will be necessary. The DOC will “true up” our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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

NONE

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

NONE

Part V: New Rule Making Required

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