Multiple Agency Fiscal Note Summary

Bill Number: 3078 S HB	**Title:** Sealing juvenile records

Estimated Cash Receipts

Agency Name	2003-05		2005-07		2007-09	
	GF- State	Total	GF- State	Total	GF- State	Total
Total $						
Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

Estimated Expenditures

Agency Name	2003-05			2005-07			2007-09		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of Administrator for the Courts	Non-zero but indeterminate cost. Please see discussion.								
Total	0.0	$0	$0	0.0	$0	$0	0.0	$0	$0
Local Gov. Courts *	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Other **									
Local Gov. Total									

Prepared by: Garry Austin, OFM	**Phone:** 360-902-0564	**Date Published:** Final 2/13/2004

* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

Judicial Impact Fiscal Note

Bill Number: 3078 S HB	**Title:** Sealing juvenile records	**Agency:** 055-Office of Administrator for Courts

Part I: Estimates

☐ **No Fiscal Impact**

Estimated Cash Receipts to:

FUND	FY 2004	FY 2005	2003-05	2005-07	2007-09
Counties					
Cities					
Total $					

Estimated Expenditures from:

Indeterminate Impact

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 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.

Legislative Contact:	Phone:	Date: 02/05/2004
Agency Preparation: Yvonne Pettus	Phone: (360) 705-5314	Date: 02/05/2004
Agency Approval: Janet McLane	Phone: (360) 705-5305	Date: 02/06/2004
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 02/10/2004

Part II: Narrative Explanation

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

The bill shortens the time frame from ten years to five years before a person can have a class B juvenile offense sealed. The bill also changes the time frames for sealing a juvenile record for class C offenses and gross misdemeanor and misdemeanor offenses.

The bill also requires the administrative office of the courts to ensure that the sealed juvenile records can be retrieved upon the charging of the person with a new felony.

II. B - Cash Receipts Impact

II. C - Expenditures

Currently, few juveniles come to the court to request sealing of their records. This may be because after a number of years, the juveniles do not think about their juvenile record. If the timelines are shortened, more juveniles may bring the motion to seal. The expenditure impact is likely to be minimal nonetheless.

Currently, prosecutors and law enforcement officers can see the existence of a sealed case as part of their access to the judicial informatino system (JIS) The prosecutor filing the new felony can ask the court to unseal a sealed juvenile case if it is necessary. The sealed juvenile records in the JIS system are currently retrievable by court personnel. Assuming the bill does not require that the filing of a new felony charge would trigger an automatic unsealing of the sealed records in the judicial information system, it will not have a fiscal impact on the administrative office of the courts.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 3078 S HB	**Title:** Sealing juvenile records

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

Legislation Impacts:

- [ ] Cities:
- [ ] Counties:
- [ ] Special Districts:
- [ ] Specific jurisdictions only:
- [ ] Variance occurs due to:

Part II: Estimates

- [x] No fiscal impacts.
- [ ] Expenditures represent one-time costs:
- [ ] Legislation provides local option:
- [ ] Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Linda Bradford	Phone: 360-725-5035	Date: 02/06/2004
Leg. Committee Contact:	Phone:	Date: 02/05/2004
Agency Approval: Louise Deng Davis	Phone: (360) 725-5034	Date: 02/13/2004
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 02/13/2004

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill would make a minor change in RCW 13.50, allowing a person to file a motion requesting his/her juvenile records to be sealed. The provisions for gross misdemeanors would be changed to those of misdemeanors, "since the last date of release from confinement, including full-time residential treatment, if any, or entry of disposition, the person has spent two consecutive years in the community without committing any offense or crime that subsequently results in conviction and the person is at least eighteen years old" (Sec 1 (12)).

The only difference between this bill and HB3078 is that Sec 1 (16) would add a provision regarding the Administrative Office of the Courts and electronic records management.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

The minor change this bill would make in RCW 13.50.050 would consist of minor administrative procedures and thus result in no local impact.

SOURCES:
Assn. of WA Cities
WA State Assn. of Counties

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

None.