

Judicial Impact Fiscal Note

Bill Number: 1178 HB	Title: Assault in third degree	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

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.

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OFM Review:	Phone:	Date:

Request # 1178 HB-1

Part II: Narrative Explanation

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

This bill would make assaulting a utility worker or employee of any publicly owned utility company or agency, who at the time of the act was engaged in official duties, a felony assault in the third degree.

Currently this type of assault would likely be a misdemeanor fourth degree assault.

II. B - Cash Receipts Impact

Currently, assaulting a utility worker or employee of any publicly owned utility company or agency would likely be a misdemeanor fourth degree assault. The maximum penalty is \$1,000. This bill would make this type of assault a felony third degree assault. The maximum penalty is \$10,000. These represent the maximum fine penalty, judges do not always order the maximum penalty.

There is no data available that shows how many past misdemeanor fourth degree assault cases were on utility workers or employees of a publicly owned utility company and would result in the increase in penalty. However, it is assumed that the impact would be less than \$50,000 per year.

II. C - Expenditures

Currently, assaulting a utility worker or employee of any publicly owned utility company or agency would likely be a misdemeanor fourth degree assault which are adjudicated in district and municipal courts. This bill would make this type of assault a felony third degree assault which would be adjudicated in superior court.

If this bill passed there would be a decrease in cases adjudicated in municipal and district courts and an increase in cases adjudicated in superior court. Because of the possible penalties involved by the felony filing of these charges there could potentially be an increase in the number of cases going to trial.

There is no data available that shows how many past misdemeanor fourth degree assault cases were on utility workers or employees of a publicly owned utility company and would result in the filing of these cases in superior court. However, it is assumed that the impact would be less than \$50,000 per year.

The \$50,000 expenditure level represents approximately 84 hours (0.07 FTE) of superior court judicial officer time annually cumulative for all superior courts in the state with associated support staff and operational costs. It is assumed that this bill would require less than 84 hours of judicial officer time statewide on an annual basis.

Part III: Expenditure Detail

Part IV: Capital Budget Impact