

Judicial Impact Fiscal Note

Bill Number: 1272 HB	Title: Intimate images/distributing	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 # criminal-2

Part II: Narrative Explanation

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

The bill creates the new crime of distributing intimate images for a person with intent to cause emotional distress, uses images that were understood to be private and subsequently distributes those images, and the depicted person suffers emotional distress .

Section 1 would amend RCW 9A.44.115 to add a new provision for distributing intimate images and establishing the crime as a misdemeanor for a first offense, gross misdemeanor for a second offense, and a class C felony for third and subsequent offenses .

II. B - Cash Receipts Impact

There are potential fine revenues that may result from the bill. Each misdemeanor is subject to a fine of up to \$1,000, each gross misdemeanor up to \$5,000 and each felony is subject to up to a \$10,000 fine.

There is no data available to predict the number of fines that might be levied as a result of the bill .

II. C - Expenditures

There are potential expenditure impacts on district and municipal courts for hearing additional misdemeanor cases and superior courts for hearing additional felony cases that may result from the bill. There is no data to estimate the number of potential cases. Each additional case would require judicial officer time and support staff time to hear the case .

The trial rate for felony cases is correlated with the severity of the penalties involved. Unranked felonies usually go to trial about 1.6 percent of the time, the others are subject to a plea. (CFC adult felony trial rate data)

For illustrative purposes it is estimated that there would need to be more than 65 additional cases resulting from the bill to exceed \$50,000 in annual court impact.

Part III: Expenditure Detail

Part IV: Capital Budget Impact