

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1276 HB	<b>Title:</b> Impaired driving	<b>Agency:</b> 055-Admin Office of the Courts
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

Account	FY 2016	FY 2017	2015-17	2017-19	2019-21
Counties					
Cities					
<b>Total \$</b>					

### 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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Request # DUI-2

## **Part II: Narrative Explanation**

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

The bill would make changes to statutes related to driving under the influence.

Sections with potential court impact:

Section 1 would amend RCW 10.21.055 to add requirements for a person charged to sign, and file with the court, an affidavit agreeing not to drive, and for immediate notification to the state Department of Licensing by courts when an ignition interlock restriction is imposed or lifted, and calling for the issuance of a court order at the time of lifting of the interlock requirement.

The bill would also change sentencing statutes requiring consecutive sentencing for some offenses, and adding prior offenses to the list found in RCW 46.61.5055. This includes operating a vessel or aircraft under the influence, minor in possession, or homicide or assault by watercraft.

### **II. B - Cash Receipts Impact**

Expected cash receipt impact is none.

### **II. C - Expenditures**

Expenditure impacts of this version of the bill:

There are indeterminate potential expenditure impacts resulting from the notification process in Section 1 of the bill that are expected to be less than \$50,000 in the first year and nearer \$20,000 in subsequent years. These include one time expenses for the Administrative Office of the Courts to prepare new codes and ongoing expenses for court clerks and county clerks for providing notice to the state Department of Licensing.

County and city staff time:

Recent Judicial Information System data shows an average of 5,209 cases per year under the DUI and Physical Control statutes where there is a prior conviction. Under the provisions of RCW 10.21.055 each person charged for a DUI or PC offense with an alcohol related charge is subject to release conditions that include the use of an ignition interlock device. The clerk of the court (county clerk for superior court) will be required to notify DOL of the interlock requirement and notify DOL when the requirement is lifted. This provides a potential of 10,400 notifications to DOL per year. If each of these notifications were to require three minutes of staff time we estimate the expenditure statewide at \$17,500 for 31,200 minutes of staff time with benefits and supplies.

One time costs of AOC:

There are expected one time expenditures at the Administrative Office of the Courts to set up new forms, and internal judicial information system cause of action codes and docket codes for use with the new petition. These are estimated to be \$10,750 for programming and testing new disposition and condition codes for juvenile systems and superior court systems. These codes would be used by court clerks, court administrative staff, and county clerks in the process of tracking case progress and outcomes as they relate to the use of ignition interlock devices.

## **Part III: Expenditure Detail**

## **Part IV: Capital Budget Impact**