

Judicial Impact Fiscal Note

Bill Number: 2085 HB	Title: Traffic infrac alt penalties	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 # 2085 HB-1

Part II: Narrative Explanation

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

This bill addresses community restitution as an alternative to paying traffic infraction penalties for persons who are determined to be indigent.

Section 3 would amend RCW 46.63.060 to require that notice of traffic infractions printed after June 1, 2015, must include a statement that the person shall be able to request entry into a payment plan or community restitution plan under RCW 7.80.130 or 46.63.110.

Section 4(6) would amend RCW 46.63.110 to require the courts to allow a person who is indigent as defined in RCW 10.101.010, upon request, to enter into a community restitution plan to pay off their traffic infraction penalty, fee, cost and assessments.

If the court has notified the DOL that the person failed to pay or comply, and the person subsequently enters into a community restitution plan, the court must timely notify the DOL and the DOL must immediately rescind any suspension of the person's driver's license or driver's privilege based on failure to pay or comply.

Currently, in jurisdictions where community restitution programs are available, the courts may allow conversion of all or part of traffic infraction monetary penalties, fees, costs and assessments to community restitution in lieu of time payments if the person is unable to make reasonable time payments. Section 4(6)(e) would require the courts to allow the conversion to community restitution if a person is indigent as defined in RCW 10.101.010.

II. B - Cash Receipts Impact

It is expected that there would be some reduction in revenue due to more traffic infractions converted to community service hours, however, there is no JIS data available to estimate how much the reduction would be.

II. C - Expenditures

Based on input from the courts, there are varying degrees of court impact. Some courts already provide the option for a person to perform community restitution for traffic infractions. However, there was a concern with some courts that the requirement would increase hearings and hearing time and that their community service programs would struggle to provide the monitoring for the community service participants. While the case cannot be quantified on a statewide basis, there was concern of the impact on some courts.

Part III: Expenditure Detail

Part IV: Capital Budget Impact