

Judicial Impact Fiscal Note

Bill Number: 5029 SB	Title: Digital assets, access to	Agency: 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					
Total \$					

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 # 5029 SB-1

Part II: Narrative Explanation

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

This bill adds a new chapter to RCW 11. This chapter would allow access to a decedent's digital accounts and assets to a fiduciary, guardian, or executor in a manner similar to physical accounts and assets.

Section 2 would provide definitions for the chapter.

Section 3 would provide the circumstances in which a person may access digital assets.

Sections 4 through 8 would provide detailed circumstances for personal representatives, guardians, agents, trustees, and other fiduciary authorities.

Section 9 would provide the compliance responsibilities for custodians of digital access.

II. B - Cash Receipts Impact

There are no cash receipts expected.

II. C - Expenditures

The impacts to the courts are expected to be minimal but indeterminate.

The intent of the bill is to spell out the circumstances where a digital asset can be accessed by a variety of actors (fiduciary, agents, trustees, executors) in a manner similar to tangible or physical accounts and assets. If a person acting in one of these roles is unable to gain cooperation from a custodian of digital assets and information, they could resort to a civil case in the court. There is no data available to determine how often this could occur.

Part III: Expenditure Detail

Part IV: Capital Budget Impact