

Judicial Impact Fiscal Note

Bill Number: 5277 SB	Title: Patronizing a prostitute	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:

STATE	FY 2016	FY 2017	2015-17	2017-19	2019-21
State FTE Staff Years					
Account					
General Fund-State 001-1	1,478	1,478	2,956	2,956	2,956
State Subtotal \$	1,478	1,478	2,956	2,956	2,956
COUNTY	FY 2016	FY 2017	2015-17	2017-19	2019-21
County FTE Staff Years					
Account					
Local - Counties	6,762	6,762	13,524	13,524	13,524
Counties Subtotal \$	6,762	6,762	13,524	13,524	13,524
CITY	FY 2016	FY 2017	2015-17	2017-19	2019-21
City FTE Staff Years					
Account					
Local - Cities	11,405	11,405	22,810	22,810	22,810
Cities Subtotal \$	11,405	11,405	22,810	22,810	22,810
Local Subtotal \$	18,167	18,167	36,334	36,334	36,334
Total Estimated Expenditures \$	19,645	19,645	39,290	39,290	39,290

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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Part II: Narrative Explanation

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

RCW 9A.88.110 would be amended to change patronizing a prostitute from a misdemeanor to a gross misdemeanor.

II. B - Cash Receipts Impact

From 2010 through 2014, there have been 135 convictions for patronizing a prostitute per RCW 9A.88.110. Data from the Judicial Information System is aggregated by case. Therefore, there is no easily identifiable data for the potential for new revenue. For purposes of the annual revenue impact for this judicial impact statement, if the average number of convictions, 27, is multiplied by the maximum fine for a misdemeanor, the potential ordered amount would be \$27,000. If the average number of convictions, 27, is multiplied by the maximum fine for a gross misdemeanor, the potential ordered amount would be \$135,000. The maximum potential ordered could be \$108,000 based on the provisions of this bill. However, the maximum is not usually ordered and based on the collection rate of 50.60% using data reported in the judicial information system for the last five years for these RCWs, the potential revenue could be \$54,648 per year. However, that would only be if the maximum was ordered. Therefore, it is assumed there would be less than \$50,000 of additional revenue per year.

II. C - Expenditures

Potential expenditure impact of this bill is illustrated by court level.

Superior Court - A five year analysis shows there have been an average of 6.2 convictions per year. Using the court time standard, the average judicial time for a misdemeanor is 15.69 minutes. Based on judicial input, if there is jail time involved, a case for a gross misdemeanor will usually go to trial. The time for a gross misdemeanor trial can be from 120 to 360 hours. For the purposes of this judicial impact note the assumption is that 2/3 of the cases would choose a jury trial and the average time would be 240 hours. The court cost for all 6.2 convictions as a misdemeanor is \$740 for the county and \$251 for the state. Using the assumptions above, the cost for gross misdemeanor would be \$7,563 for the county and \$1,729 for the state. The net cost is \$6,823 for the county and \$1,478 for the state.

District Court - A five year analysis shows there have been an average of 6.6 convictions per year. Using the court time standard, the average judicial time for a misdemeanor is 15.69 minutes. Based on judicial input, if there is jail time involved, a case for a gross misdemeanor will usually go to trial. The time for a gross misdemeanor trial can be from 120 to 360 hours. For the purposes of this judicial impact note the assumption is that 2/3 of the cases would choose a jury trial and the average time would be 240 hours. The court cost for all 6.6 convictions as a misdemeanor is \$8,142 for the county. Using the assumptions above, the cost for gross misdemeanor would be \$14,904 for the county. The net cost is \$6,762 for the county.

Municipal Court - A five year analysis shows there have been an average of 14.2 convictions per year. Using the court time standard, the average judicial time for a misdemeanor is 15.69 minutes. Based on judicial input, if there is jail time involved, a case for a gross misdemeanor will usually go to trial. The time for a gross misdemeanor trial can be from 120 to 360 hours. For the purposes of this judicial impact note the assumption is that 2/3 of the cases would choose a jury trial and the average time would be 240 hours. The court cost for all 14.2 convictions as a misdemeanor is \$1,760 for the city. Using the assumptions above, the cost for gross misdemeanor would be \$13,165 for the city. The net cost is \$11,405 for the city.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Professional Service Contracts					
Goods and Other Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$					

III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. C - Expenditure By Object or Purpose (City)

<i>City</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

Part IV: Capital Budget Impact