

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 5321 E S SB	<b>Title:</b> Debt settlement services	<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.**

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). Therefore, this fiscal analysis includes a projection showing the ten-year cost to tax or fee payers of the proposed taxes or fees.

*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 # 5321 ESSB-1

## **Part II: Narrative Explanation**

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

This bill would create the Debt Settlement Services Act.

Sections with potential court impact:

Section 21 would create a new statute in title 18 which would allow the Department of Financial Institutions to apply to the superior courts for subpoenas for records relating to debt settlement businesses.

Section 25 would create a new statute in title 18 which would allow debt settlement licensees to apply to the superior courts for injunctions to set aside Department of Financial Institutions cease and desist orders.

Section 26 would create a new statute in title 18 which would allow the Department of Financial Institutions to apply to the superior courts for injunctions if debt settlement licensees violate or threaten violations of cease and desist orders.

Section 27 would create a new statute in title 18 which would allow the Department of Financial Institutions to apply to the superior courts for the appointment of receivers to take control of debt settlement licensees.

Section 31 would create a new statute in title 18 which would provide that violations of the new chapter would constitute unfair business practices in violation of RCW 19.86.020.

Section 36 would make the act effective January 1, 2016.

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

No revenue is expected from this bill.

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

Based upon information provided, it is assumed that there would be a financial impact to the superior courts statewide from the provisions in this bill. However, there is no judicial data available to estimate the impact.

This bill would create a new cause of action in the superior courts. There is no data available to estimate the fiscal impact of this bill. However, it is assumed that the impact would be less than \$50,000 per year. The \$50,000 expenditure level represents approximately 84 hours (0.07 FTE) of superior court judicial officer time annually cumulative for all superior courts in the state with associated support staff and operational costs. It is assumed, therefore, that this bill would require less than 84 hours of judicial officer time statewide on an annual basis.

There is a finite amount of superior court judicial officer time available to hear cases throughout the state. Whenever additional caseload creates a need for additional judicial officers, the system absorbs that need. The system accommodates such changes partially by delaying criminal and juvenile cases and partly by lengthening the backlog for civil trials. Small increases in FTE need may be absorbed by the system, but there is a cumulative effect from multiple bills in a session or over a series of years that can result in a shortage of judges and commissioners relative to the judicial need expressed in caseload.

## **Part III: Expenditure Detail**

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

No capital budget impact is expected.



# Ten-Year Analysis

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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

☒ **No Cash Receipts** ☐ **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											
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