

Judicial Impact Fiscal Note

Bill Number: 5643 SB	Title: Firearms & invol. treatment	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☒ **No Fiscal Impact**

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 # 5643 SB-1

Part II: Narrative Explanation

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

Summary:

This bill would create an action for preventing a person from possessing a firearm where the person has a mental illness, uses or threatens use of a firearm, and is detained by a mental health professional, but not for more than an initial 72-hour hold .

Sections with potential court impact:

Section 1 would add a new section to chapter 71.05 RCW (Mental Illness) which would allow a new action to deprive a person of the right to possess a firearm where the person suffers from a mental disorder, was initially detained (72-hour hold) by a mental health professional, used or threatened use of a firearm, and there is a substantial nexus between the mental disorder and the threat or use of the firearm. When no petition for further commitment is filed, the prosecutor would begin the action by filing a petition in superior court.

Section 2 would amend RCW 9A.41.047 to prohibit a person who is subject to a court order under Section 1 from possessing a firearm . Currently, this law prevents persons who are detained under a mental health commitment for 14 days or more from possessing a firearm (among other situations).

Anticipated Fiscal Impact:

Based upon information provided, it is assumed that there would be minimal financial impact to the superior courts statewide from the amendments/provisions in this bill.

This bill would create a new action to prevent a person from possessing a firearm in superior courts . 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 .

II. B - Cash Receipts Impact

II. C - Expenditures

Part III: Expenditure Detail

Part IV: Capital Budget Impact