

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1312 HB	<b>Title:</b> Bail forfeiture exoneration	<b>Agency:</b> 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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Request # 1312 HB-1

## **Part II: Narrative Explanation**

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

**II. B - Cash Receipts Impact**

**II. C - Expenditures**

## **Part III: Expenditure Detail**

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

## **Part II: Narrative Explanation**

This bill would amend RCW 10.19 adding a new section that would require a court to vacate a bail forfeiture and exonerate the bond when a defendant is beyond the jurisdiction of the court that ordered the forfeiture and the prosecuting attorney elects not to seek extradition of the defendant.

### **Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts**

This bill would require that a court would vacate the forfeiture of bail and exonerate the bond in all cases when:

- the defendant is in custody outside of the jurisdiction of the court which ordered the forfeiture;
- the prosecuting attorney has been notified of the location of the defendant; and
- the prosecuting attorney elects not to seek extradition of the defendant in a signed affidavit.

This bill would also require that a court would vacate the forfeiture of bail and exonerate the bond in all cases when:

- the defendant is not in custody and is beyond the jurisdiction of the state;
- the defendant is temporarily detained by the bail agent in the presence of a local law enforcement officer of the jurisdiction where the defendant is located;
- the defendant is positively identified by that law enforcement officer as the wanted defendant in a affidavit signed under penalty of perjury;
- the prosecuting attorney has been informed of the location of the defendant;
- and the prosecuting attorney elects not to seek extradition of the defendant.

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

Indeterminate. The Administrative Office of the Courts (AOC) does not have data available to estimate how many bail forfeitures would be released by the courts.

### **II.C – Expenditures**

Indeterminate. Based on input from the courts, there would not be a large volume of hearings if this legislation passes. One estimate was no more than one or two hearing per year for a large court. However, any hearings that were required could be lengthy. The estimate provided by the judges was 90 minutes for a hearing. 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. This equates to approximately 60 hearings statewide.