Judicial Impact Fiscal Note

Bill Number: 1713 3S HB	Title: Mental hlth, chem dependency	Agency: 055-Admin Office of the Courts

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 # 1713 3SHB-1

Part II: Narrative Explanation

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

The changes in this version of the bill do not change the judicial impact from the previous versions.

Previous version:

This bill would amend several RCWs to combine persons needing treatment for chemical dependency, renamed substance use disorders, within the current involuntary treatment for the mental health system.

Section 102 would amend RCW 70.96A.140 (4) (b) to state, if the court finds that the grounds for commitment have been established by a preponderance of the evidence, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment. The less restrictive order may impose treatment conditions and other conditions that are in the best interest of the respondent and others. A copy of the less restrictive order must be given to the respondent, the designated chemical dependency specialist, and any program designated to provide less restrictive treatment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. The court may not order commitment of a person to a less restrictive course of treatment unless it determines that an approved substance use disorder treatment program is available and able to provide adequate and appropriate treatment for him or her.

Sections 201-253 would amend various sections within RCW 71.05, which applies to involuntary mental health treatment for adults, to combine the programs for the involuntary treatment of mental disorders and the involuntary treatment of substance use disorders. The impact to the courts is that a court may not issue an order to detain a person for inpatient treatment in a secure detoxification facility or approved substance use disorder treatment program unless there is a secure detoxification facility or approved substance use disorder treatment program available and with adequate space for the person.

Sections 254-280 would amend various sections within RCW 71.34, which applies to involuntary mental health treatment for minors, to combine the programs for the involuntary treatment of mental disorders and the involuntary treatment of substance use disorders. The impact to the courts is that a court may issue an order for inpatient treatment if commitment is for a substance use disorder, there is an available secure detoxification facility or approved substance use disorder treatment program with adequate space for the minor.

Section 281 would amend RCW 9.41.098 to include a person who is committed for mental health treatment under RCW 71.05 who the court may order forfeiture of a firearm.

Section 301 would repeal a number of statutes in RCW 70.96A and 70.96B made unnecessary by the changes above, effective April 1, 2018.

Sections 401- 429 and 501- 532 would correct references to statutes throughout the revised code which would be necessary based on the changes above. There is no additional judicial impact.

Section 601 would repeal a number of statutes in RCW 70.96A made unnecessary by the changes above, effective April 1, 2016.

Section 701 would recodify several statutes.

Section 801 would name the act the Ricky Garcia act.

II. B - Cash Receipts Impact

No impact.

II. C - Expenditures

Based on input from the courts, there may be some impact on the amount of time required for hearings as a result of the significant changes to the way involuntary mental health and chemical dependency cases are handled. However, there is not the expectation for additional hearings, just additional court time for each case.

Part III: Expenditure Detail

Part IV: Capital Budget Impact