

# Judicial Impact Fiscal Note

<b>Bill Number:</b> 6366 SB	<b>Title:</b> DNA markers database	<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
Washington Auto Theft Prevention Authority Account-State 11k-1		(356,000)	(356,000)	(712,000)	(712,000)
DNA Data Base Account-State 515-1		356,000	356,000	712,000	712,000
Counties					
Cities					
<b>Total \$</b>					

### Estimated Expenditures from:

COUNTY	FY 2016	FY 2017	2015-17	2017-19	2019-21
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2016	FY 2017	2015-17	2017-19	2019-21
City FTE Staff Years					
<b>Account</b>					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$					
Total Estimated Expenditures \$					

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.

Contact	Phone:	Date: 01/15/2016
Agency Preparation: Sam Knutson	Phone: 3607045528	Date: 01/22/2016
Agency Approval: Sam Knutson	Phone: 3607045528	Date: 01/22/2016
OFM Review:	Phone:	Date:

Request # 6366 SB-2

## 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

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

<i>State</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years					
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					
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					
Total \$					

## Part IV: Capital Budget Impact



# Ten-Year Analysis

<b>Bill Number</b> 6366 SB	<b>Title</b> DNA markers database	<b>Agency</b> 055 Admin Office of the Courts
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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**

## Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023	Fiscal Year 2024	Fiscal Year 2025	2016-25 TOTAL
RCW 46.63.110 Traffic Infraction Fee for DNA Database	11K 515		356,000	356,000	356,000	356,000	356,000	356,000	356,000	356,000	356,000	3,204,000
<b>Total</b>			<b>356,000</b>	<b>3,204,000</b>								
<b>Biennial Totals</b>			<b>356,000</b>	<b>712,000</b>		<b>3,204,000</b>						

Agency Preparation: Sam Knutson	Phone: 3607045528	Date: 1/22/2016 4:02:39 pm
Agency Approval: Sam Knutson	Phone: 3607045528	Date: 1/22/2016 4:02:39 pm
OFM Review: Kathy Cody	Phone: (360) 902-9822	Date: 1/22/2016 1:52:37 pm

## Part II: Narrative Explanation

This bill would require that a DNA sample must be collected from all adults lawfully arrested for any crime against persons, assault in the fourth degree, or residential burglary. The DNA sample would need to be collected at the time of booking, transfer, or if no sample has been collected before a person's first court appearance, before a person is released from custody. The DNA collection would need to be done by the sheriff or director of public safety of every county, and the chief of police of every city or town, and of every chief officer of other law enforcement agencies duly operating within the state.

This bill would reduce the ten dollar surcharge to nine dollars and fifty cents per infraction currently deposited into the Washington Auto Theft Prevention Authority Account. The bill would direct the remaining fifty cents to be deposited into the state DNA Database Account.

The bill would direct that courts would not be allowed to suspend the one-hundred dollar Crime Laboratory Analysis fee when an adult offender is been found guilty of violating any criminal statute.

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

This bill would amend RCW 46.63.110:

Section 7(b) would reduce the ten dollar surcharge per infraction currently deposited into the Washington Auto Theft Prevention Account to nine dollars and fifty cents.

Section 7(d) would direct the remaining fifty cents per infraction to be deposited to the DNA Database Account.

This bill would amend RCW 43.43.690:

Section 10(1) would remove the courts ability to suspend or defer payment of the one hundred dollar Crime Laboratory Analysis fee when an adult offender has been found guilty of violating any criminal statute of the state.

### II.B - Cash Receipt Impact

The current surcharge of \$10 per infraction imposed on a person found to have committed a traffic infraction, and forwarded to the Washington Auto Theft Prevention Authority Account, would be reduced to \$9.50. A new surcharge of \$0.50 would be imposed on every person found to have committed a traffic infraction, with revenues deposited in the state DNA Database Account.

In Fiscal Year 2013, there was approximately \$7.1 million from traffic infractions distributed to the Auto Theft Prevention Authority Account. Based on current revenue forecasts, the Administrative Office of the Courts (AOC) assumes that approximately \$356,000 per year would be distributed to the DNA Database Account. Please see Table I, below.

**Table I – Estimated Revenue Distribution**

Estimated Infractions (annual)	712,000
Distribution of surcharge @ \$9.50 - Auto Theft Prevention Account	\$6,764,000
Distribution of surcharge @ \$0.50 – DNA Database Account	\$356,000

Total Estimated Revenue (annual)	\$7,120,000
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The one-hundred dollar crime lab analysis fee assessed at conviction would not be allowed to be suspended or deferred by the courts. The AOC cannot predict potential additional revenue as it is unknown how many of these fees have been suspended or waived in the past.

## **II.C – Expenditures**

Section 7 would require modifications to the law table and other system tables to accommodate the change of revenue distribution. This would be handled during routine law table and system maintenance.