

# JUDICIAL IMPACT FISCAL NOTE

<b>Bill Number:</b> 1102 HB	<b>Title:</b> Government Surveillance Technology	<b>Agency:</b> 055 – Admin Office of the Courts (AOC)
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

	FY 2018	FY 2019	2017-19	2019-21	2021-23
<b>Total:</b>					

### Estimated Expenditures from:

STATE	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE – Staff Years					
<b>Account</b>					
General Fund – State (001-1)					
State Subtotal					
<b>COUNTY</b>					
County FTE Staff Years					
<b>Account</b>					
Local - Counties					
Counties Subtotal					
<b>CITY</b>					
City FTE Staff Years					
<b>Account</b>					
Local – Cities					
Cities Subtotal					
Local Subtotal					
<b>Total Estimated Expenditures:</b>					

*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.

Legislative Contact:	Phone:	Date:
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Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

## **Part II: Narrative Explanation**

This bill would prohibit state agencies from using an “extraordinary sensing device” (ESD) to conduct surveillance without a search warrant without specific approval of their governing bodies.

The bill would restrict state and local agencies from operating an ESD, and from disclosing personal information except under specific circumstances.

The bill would exclude any evidence collected by an ESD from any court, regulatory, or legislative proceeding if the disclosure of personal information is in violation of the provisions of the bill.

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

This bill would provide that an agency may operate an ESD and disclose personal information obtained with an ESD if the agency obtains a search warrant. Search warrants may not be issued for a period greater than ten days, with a possible exception up to thirty days. A copy of the warrant must be served upon the “target” within ten days of its execution. Notice can be delayed if a court finds that it may create an adverse result. “Adverse result” is defined as: 1) endangering the life or safety of an individual, 2) causing a person to flee from prosecution, 3) destruction of evidence or intimidation of a witness, 4) jeopardizing an investigation, or 5) delaying a trial.

Section 12 of the bill would provide for legal action for damages, including attorney fees and costs.

No data exists to estimate the number of search warrant approvals or hearings that would result from this bill. Court education would be required. Fiscal impact would be minimal.