

Judicial Impact Fiscal Note

| | | |
|-----------------------------|---------------------------------------|--|
| Bill Number: 1138 HB | Title: Offender DNA collection | Agency: 055-Administrative Office of the Courts |
|-----------------------------|---------------------------------------|--|

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

| Account | | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|-----------------------------|-------|---------|---------|-----------|-----------|-----------|
| DNA Data Base Account-State | 515-1 | 351,932 | 351,932 | 703,864 | 703,864 | 703,864 |
| Counties | | | | | | |
| Cities | | 351,932 | 351,932 | 703,864 | 703,864 | 703,864 |
| Total \$ | | 703,864 | 703,864 | 1,407,728 | 1,407,728 | 1,407,728 |

Estimated Expenditures from:

| STATE | | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|---------------------------------|--|---------|---------|---------|---------|---------|
| State FTE Staff Years | | | | | | |
| Account | | | | | | |
| General Fund-State 001-1 | | 39,750 | | 39,750 | | |
| State Subtotal \$ | | 39,750 | | 39,750 | | |
| COUNTY | | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
| County FTE Staff Years | | | | | | |
| Account | | | | | | |
| Local - Counties | | | | | | |
| Counties Subtotal \$ | | | | | | |
| CITY | | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
| City FTE Staff Years | | | | | | |
| Account | | | | | | |
| Local - Cities | | | | | | |
| Cities Subtotal \$ | | | | | | |
| Local Subtotal \$ | | | | | | |
| Total Estimated Expenditures \$ | | 39,750 | | 39,750 | | |

This bill was identified as a proposal governed by the requirements of RCW 43.135.031 (Initiative 960). A fiscal analysis was prepared to show the projected ten-year cost to tax or fee payers of the proposed taxes or fees. The ten-year projection can be viewed at

<http://www.ofm.wa.gov/tax/default.asp>

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: 01/11/2017 |
| Agency Preparation: Sam Knutson | Phone: 360-704-5528 | Date: 01/24/2017 |
| Agency Approval: | Phone: | Date: |
| OFM Review: | Phone: | Date: |

Request # 1138 HB-1

Part II: Narrative Explanation

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

Please see attached Judicial Impact Note (JIN).

II. B - Cash Receipts Impact

II. C - Expenditures

Part III: Expenditure Detail

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

| <i>State</i> | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | | | | |
| Salaries and Wages | 27,825 | | 27,825 | | |
| Employee Benefits | 11,925 | | 11,925 | | |
| Professional Service Contracts | | | | | |
| Goods and Other Services | | | | | |
| Travel | | | | | |
| Capital Outlays | | | | | |
| Inter Agency/Fund Transfers | | | | | |
| Grants, Benefits & Client Services | | | | | |
| Debt Service | | | | | |
| Interagency Reimbursements | | | | | |
| Intra-Agency Reimbursements | | | | | |
| Total \$ | 39,750 | | 39,750 | | |

III. B - Expenditure By Object or Purpose (County)

| <i>County</i> | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|-----------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | | | | |
| Salaries and Benefits | | | | | |
| Capital | | | | | |
| Other | | | | | |
| Total \$ | | | | | |

III. C - Expenditure By Object or Purpose (City)

| <i>City</i> | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|-----------------------|---------|---------|---------|---------|---------|
| FTE Staff Years | | | | | |
| Salaries and Benefits | | | | | |
| Capital | | | | | |
| Other | | | | | |
| Total \$ | | | | | |

Part IV: Capital Budget Impact

Request # 1138 HB-1



Ten-Year Analysis

| | | |
|-------------------------------|---|--|
| Bill Number 1138 HB | Title Offender DNA collection | Agency 055 Administrative Office of the Courts |
|-------------------------------|---|--|

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

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Estimated Cash Receipts

| Name of Tax or Fee | Acct Code | Fiscal Year 2018 | Fiscal Year 2019 | Fiscal Year 2020 | Fiscal Year 2021 | Fiscal Year 2022 | Fiscal Year 2023 | Fiscal Year 2024 | Fiscal Year 2025 | Fiscal Year 2026 | Fiscal Year 2027 | 2018-27 TOTAL |
|-------------------------|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Offender DNA Collection | 515 | 351,932 | 351,932 | 351,932 | 351,932 | 351,932 | 351,932 | 351,932 | 351,932 | 351,932 | 351,932 | 3,519,320 |
| Total | | 351,932 | 3,519,320 |
| Biennial Totals | | 703,864 | 3,519,320 |

Narrative Explanation (Required for Indeterminate Cash Receipts)

This bill would amend RCW 46.63.110 to authorize a fee of two dollars per infraction. One dollar of each fee assessed would be forwarded to the State Treasurer for deposit into the State DNA Database Account, and one dollar would be retained by the local collecting jurisdiction to offset administrative costs.

| | | |
|---------------------------------|---------------------|----------------------------|
| Agency Preparation: Sam Knutson | Phone: 360-704-5528 | Date: 1/24/2017 8:06:13 am |
| Agency Approval: | Phone: | Date: |
| OFM Review: | Phone: | Date: |

Part II: Narrative Explanation

This bill would amend RCW 43.43.753, adding DNA collection from adults charged for any criminal offense or arrested for any criminal offense when there has been a judicial determination of probable cause.

The bill would allow a person to request expungement of a person's DNA sample and DNA records from the DNA identification system under certain circumstances.

The bill would amend RCW 46.63.110 to authorize an additional fee of two dollars per infraction; one dollar from each fee assessed must be forwarded to the State Treasurer for deposit to the state DNA Database Account, and one dollar would be retained by the collecting jurisdiction to offset administrative costs.

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

Section 2 – Would amend RCW 43.43.753, adding DNA collection from adults charged for any criminal offense or arrested for any criminal offense when there has been a judicial determination of probable cause.

Section 6(7)(d) – Would amend RCW 46.63.110 to authorize a fee of two dollars per infraction. One dollar of the revenue from each fee assessed must be forwarded to the State Treasurer for deposit in the state DNA Database Account, and one dollar must be retained by the collecting jurisdiction to offset administrative costs.

Section 7 – Would amend RCW 43.43.690, that a court may not suspend, reduce, or defer payment of the existing \$100 crime laboratory fee for each offense for which a person is convicted of violating any criminal statute.

II.B - Cash Receipt Impact

This bill would amend RCW 46.63.110 to authorize a fee of two dollars per infraction. One dollar of each fee assessed would be forwarded to the State Treasurer for deposit into the State DNA Database Account, and one dollar would be retained by the local collecting jurisdiction to offset administrative costs.

Court of Limited Jurisdiction (CLJ) traffic infraction caseloads for were reviewed to determine estimated revenue resulting from this bill. In 2015, there were 810,635 traffic infractions, 351,932 were paid, resulting in a collection rate of 43.4 percent.

For purposes of this Judicial Impact Note (JIN), a 43.4 percent collection rate is applied to the number of infractions recorded in 2015. See Table I, below.

Table I – Estimated Revenue, New DNA Database Fee

| 2015 Infractions * | Collection Rate | Infractions @ Collection Rate | DNA Database Fee | Estimated Total Revenue |
|-----------------------|--------------------|----------------------------------|---------------------|----------------------------|
| 810,635 | 43.4% | 351,932 | \$2.00 | \$703,864 |

DNA Database Account
Local Jurisdictions (retained)
Total estimated annual revenue

| |
|-----------|
| \$351,932 |
| \$351,932 |
| \$703,864 |

* Source: Caseloads of the Courts of Washington

<http://www.courts.wa.gov/caseload/?fa=caseload.showReport&level=d&freq=a&tab=&fileID=rpt04>

For purposes of this JIN, it is assumed that caseloads and collection rate will remain the same through the forecast horizon.

II.C – Expenditures

This bill would require the collection of DNA from adults charged for a criminal offense or arrested for a criminal offense when there has been a judicial determination of probable cause. If the person is not detained the judge must make a collection of a DNA sample a condition of release. The bill would allow a person to request expungement of the person's DNA sample and DNA records from the DNA identification system under certain circumstances.

This bill would require major revision of the Judicial Information System (JIS), and would require significant changes to court user manuals, customer support (eService), court education, forms, and law tables. New accounting cost fee codes (CFC's), at least 25 new BARS codes, and over 1,800 law table updates.

These modifications are estimated to take approximately 750 hours of AOC staff time which equates to a one-time cost of \$39,750. It is important to note that the passage of several bills requiring JIS modifications would have a cumulative impact and could exceed current resources.

Part III: Expenditure Detail

| Cost Category | Tasks | Estimated Hours | Cost |
|----------------------------|--|-----------------|-----------------|
| Court Education Services | Manual updates, eService answers, judicial education | 100 | \$5,300 |
| JIS Maintenance | CFC's, BARS codes, Law Table updates | 400 | \$21,200 |
| Business Analysts | Business requirements, release notes, communications | 40 | \$2,210 |
| JIS Accounting | Requirements, new coding | 50 | \$2,650 |
| Customer Services (Line 2) | Customer Services response | 160 | \$8,480 |
| Total | | 750 | \$39,750 |

III.A – Expenditures by Object or Purpose

| | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|-----------------------------|----------------|----------------|----------------|----------------|----------------|
| FTE – Staff Years | 27,825 | | 27,825 | | |
| A – Salaries & Wages | 11,925 | | 11,925 | | |
| B – Employee Benefits | | | | | |
| C – Prof. Service Contracts | | | | | |
| E – Goods and Services | | | | | |
| G – Travel | | | | | |
| J – Capital Outlays | | | | | |
| P – Debt Service | | | | | |
| Total: | 39,750 | | 39,750 | | |

III.B – Detail:

| Job Classification | Salary | FY 2018 | FY 2019 | 2017-19 | 2019-21 | 2021-23 |
|---------------------------|---------------|----------------|----------------|----------------|----------------|----------------|
| | | | | | | |
| | | | | | | |
| Total FTE's | | | | | | |

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

None.