

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5388 SSB PL	Title: Unauthorized Persons Removal	Agency: 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
Total:					

Estimated Expenditures from:

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

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 amend RCW 9A.52 (burglary and trespass) and amend RCW 4.24 (special rights of action and special immunities). An owner of premises or an authorized agent of the owner would be allowed to request removal of unauthorized persons from the premises by providing a written declaration, signed under penalty of perjury, to law enforcement. Upon receipt of a declaration, a law enforcement officer would have the authority to remove unauthorized persons, with or without arrest, and to order them to remain off the premises or be subject to arrest for criminal trespass. Law enforcement officers would not be held liable for actions or omissions made in good faith. Persons removed from premises based on a declarant's false statement would have a cause of action against the declarant to recover full damages, together with costs and reasonable attorney fees.

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

Section 2 – Would provide that a declarant of premises who falsely swears on a declaration provided to law enforcement would be guilty of false swearing under RCW 91.72.040 or of making a false or misleading statement to a public servant under RCW 9A.76.175; both offenses would be gross misdemeanors.

There is no data available to estimate the number of additional hearings that would be required; however, fiscal impact is expected to be minimal.