

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5553 SB	Title: Suicide Firearm Right Waiver	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:

STATE	FY 2018	FY 2019	2017-19	2019-21	2021-23
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 9.41 to provide that a person may file a voluntary waiver of firearms rights with the clerk of a court in any county in Washington State.

This bill would require the Administrative Office of the Courts (AOC), under the direction of the Chief Justice of the Supreme Court, to develop a "voluntary waiver of firearm rights" form and a "revocation of voluntary waiver of firearm rights" form by January 1, 2018.

The bill would require the voluntary waiver of firearm rights form to include the following language: "Because you have filed this voluntary waiver of firearm rights, effective immediately you may not purchase or receive any firearm. You may revoke this voluntary waiver of firearm rights any time after at least seven calendar days have elapsed since the time of filing."

The bill would require that the forms must be made available on the AOC website, at all county clerk offices, and must also be made widely available at firearm and ammunition dealers and health care provider locations.

The bill would require that a person who transfers a firearm to a person who has a valid waiver of firearm rights in place is guilty of an unranked class C felony.

The bill would require a person who knowingly makes a false statement regarding their identity on the voluntary waiver of firearm rights form or revocation of waiver of firearm rights form is guilty of false swearing. False swearing is a gross misdemeanor.

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

Section 1(1) – Would provide that a person may file a voluntary waiver of firearms rights with the clerk of the court in any county in the state of Washington. The clerk of the court would be required to request photo identification to verify the person's identity. The clerk would be required to verify the person's identity prior to accepting the form. By the end of each day, the clerk would be required to electronically transmit the form to the Washington State Patrol (WSP).

Section 1(2) – Would provide that no sooner than seven calendar days after filing a voluntary waiver of firearms rights, the person may file a revocation of the voluntary waiver of firearms rights in the same county where the voluntary waiver of firearms rights was filed. The clerk of the court would be required to request photo identification to verify the person's identity. The clerk would be required to verify the person's identity prior to accepting the form. By the end of each day, the clerk would be required to electronically transmit the form to the Washington State Patrol (WSP).

Section 1(3) – Would provide that a person who knowingly makes a false statement regarding their identity on the voluntary waiver of firearms rights form or revocation of waiver of firearms rights form would be guilty of false swearing under RCW 9A.72.040.

Section 2 – Would require the AOC, under the direction of the Chief Justice of the Supreme Court, to develop both the voluntary waiver of firearms rights form and the revocation of the voluntary waiver of rights form. The forms would be required to be available on the AOC website, all county clerks offices, and at firearms and ammunition dealers and health care provider locations. The forms would be required to be developed by January 1, 2018.

Section 3 – Would provide that any person delivering a firearm to any person whom he or she has reasonable cause to believe that the person is ineligible to possess a firearm or has signed a valid voluntary waiver of firearm rights is guilty of a class C felony.

II.B - Cash Receipt Impact

It is possible that fines associated with the new crimes created by this bill could result in increased revenue. However, no data exists to estimate the amounts that would be collected. The maximum fine is not always ordered, not all fines are collected in full, and fines sometimes take years to collect. It is assumed that the fines would occur infrequently and the fine revenue collected would be less than \$50,000 per year.

II.C – Expenditures

This bill would require two new forms, which would also require new docket codes. This could be managed within existing resources.

There is insufficient judicial data to estimate how many forms would be filed with the courts, which would result in an indeterminate impact on clerk's time verifying identification. This bill could also increase the number of cases of false swearing. However, impact is expected to be minimal.