

# JUDICIAL IMPACT FISCAL NOTE

<b>Bill Number:</b> 5463 SB	<b>Title:</b> Storage of Firearms	<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 create the crime of community endangerment due to unsafe storage of a firearm. The bill would require a firearms dealer, when selling a firearm, to offer to sell or give the purchaser a locked box, a lock, or a device that prevents the firearm from discharging.

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

If enacted, this bill would add a new section to RCW 9A.41.

Section 2 (1) – A person who stores or leaves a firearm in a location where the person knows, or reasonably should know, that a prohibited person is likely to gain access:

- (a) Would be guilty of community endangerment due to unsafe storage of a firearm in the first degree if a prohibited person obtains access and possession of the firearm and the prohibited person causes personal injury or death with the firearm; or
- (b) Would be guilty of community endangerment due to unsafe storage of a firearm in the second degree if the prohibited person obtains access and possession of the firearm and the prohibited person: (i) causes the firearm to discharge; (ii) exhibits the firearm in a public place or in an angry, threatening, or careless manner; or (iii) uses the firearm in the commission of a crime.

Section 2(2)(a) – Community endangerment due to unsafe storage of a firearm in the first degree would be defined as a class C felony punishable according to RCW 9A.20.

Section 2(2)(b) – Community endangerment due to unsafe storage of a firearm in the second degree would be defined as a gross misdemeanor punishable according to RCW 9A.20.

Section 2(4) – A prosecuting attorney would be allowed to decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve not public purpose, would defeat the purpose of the law in question, or would result in decreased respect for the law.

Section 3(1)(2)(3) – Firearms dealers, stores, shops, or sales outlets would be required to offer to sell or give the purchaser of a firearm a locked box, a lock, or a device that prevents the firearm from discharging. Firearms dealers, stores, shops, or sales outlets would be required to prominently display warning signs, provided by the Department of Licensing (DOL) that state “YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON WHO IS PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.” Firearms dealers, stores, shops, or sales outlets would be required to deliver a written warning to the purchaser or transferee of a firearm that states “YOU MAY FACE CRIMINAL PROSECUTION IF YOU STORE OR LEAVE AN UNSECURED FIREARM WHERE A PERSON PROHIBITED FROM POSSESSING FIREARMS CAN AND DOES OBTAIN POSSESSION.”

Section 3(4) – Every person who violates the provisions of Section 3 would be guilty of a class 3 civil infraction and may be fined up to fifty dollars.

### **II.B - Cash Receipt Impact**

Indeterminate. The Administrative Office of the Courts (AOC) does not have data available to estimate the number of trials/hearings that would result from this bill.

### **II.C – Expenditures**

Indeterminate. The AOC does not have data available to estimate the number of trials/hearings that would result from this bill.

Judges would need to be trained regarding the new crimes. This would be handled during routine training opportunities.

Changes would be required to the law table and other system tables to create new laws and penalties. This would be handled during routine law table maintenance processes.