

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5553 SSB	Title: Suicide / Firearms Rights Waiver	Agency: 055 – Administrative Office of the Courts (AOC)
---------------------------------	--	--

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:
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 2/27/2018
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would establish a process for a person to voluntarily waive their firearms rights and to revoke a voluntary waiver of firearms rights.

The bill would create a criminal penalty for any person who knowingly makes a false statement regarding a person's identity on a form for the voluntary waiver of firearms rights or the revocation of the voluntary waiver of firearms rights.

The bill would require the Administrative Office of the Courts (AOC) to develop and provide forms for the voluntary waiver of firearms rights and the revocation of voluntary waiver of firearms rights.

The bill would prohibit a person from delivering a firearm to any person who they have reasonable cause to believe has signed a voluntary waiver of firearms rights that has not been revoked.

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. By the end of the day of filing, the clerk must transmit the accepted form for entry into the Washington State Patrol (WSP) electronic database. The WSP must enter the voluntary waiver of firearms rights into the WSP electronic database within 24 hours of receipt.

Section 1(2) – Would provide that no sooner than seven days after filing a voluntary waiver of firearms rights, a person may file a revocation of the voluntary waiver of firearms rights in the same county where the original waiver was filed. By the end of the day of filing, the clerk must transmit the form requesting the WSP remove the person's voluntary waiver of rights from the WSP electronic database. The WSP must enter the form into the WSP electronic database within seven days of receipt.

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 1(4) – Would provide that neither a voluntary waiver of firearms rights or revocation of a voluntary waiver of firearms rights shall be considered by a court in any legal proceeding.

Section 2(1) – Would provide that the AOC, under direction by the Chief Justice of the Supreme Court, shall develop a voluntary waiver of firearms rights form and a revocation of voluntary waiver of firearms rights form. These forms would be required to be available by January 1, 2019.

Section 2(2) – Would provide that the forms required in Section 2(1) must include the following language:

Because you have filed this voluntary waiver of firearms rights, effective immediately you may not purchase or receive any firearm. You may revoke this voluntary waiver of firearms rights any time after at least seven calendar days have elapsed from the time of filing.

Section 2(3) – Would provide that the forms must be made available on the AOC website, all county clerk offices, and must also be available at all firearms and ammunition dealers and health care provider locations.

Section 3 – Would amend RCW 9.41.080 to provide that no person may deliver a firearm to any person who they have reasonable cause to believe has signed a valid voluntary waiver of firearms rights. Any person who violates this section would be guilty of a class C felony.

Section 5 – Would establish January 1, 2019 as an effective date for this bill.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Indeterminate, but less than \$50,000. There is no data available to estimate the number of persons who would file the new forms created by this bill. Impact is not expected to be significant.

The AOC would be required, under the direction of the Chief Justice of the Supreme Court, to develop a voluntary waiver of firearms rights form and a revocation of voluntary waiver of firearms rights form. This would be managed within existing resources.

The bill provides that clerks of the court must submit the forms to the WSP by the end of the same day the forms are filed. Clerks would be required to request photo verification by persons submitting the forms. Clerk time would be impacted, but the amount is indeterminate and is not expected to be significant.

The bill directs that these forms must be transmitted to the WSP. This may require a new data exchange with the WSP. However, it is thought that the volume of filings would be minimal and forms could be transmitted to the WSP by scan or fax.

New docket codes and cause of action codes would also be required. This would be managed within existing resources.

Section 1(4) provides that the new forms created by this bill could not be used in any legal proceeding. Court education would be required. This would be managed within existing resources.