

# JUDICIAL IMPACT FISCAL NOTE

<b>Bill Number:</b> 6068 SSB PL	<b>Title:</b> Sexual Harassment NDAs	<b>Agency:</b> 055 – Administrative 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 provide for the applicability of nondisclosure agreements in civil actions for sexual harassment or assault.

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

Section 1(1) – Would amend RCW 4.24 to provide that in any civil judicial or administrative action relating to sexual harassment or sexual assault, a nondisclosure policy or agreement that purports to limit the ability of any person to produce evidence regarding past instances of sexual harassment or sexual assault by a party to the civil action does not affect discovery or the availability of witness testimony relating to that civil action. The bill would provide that any provision of a nondisclosure policy or agreement including any arbitration agreement or decision that would limit, prevent, or punish such disclosure is contrary to public policy and unenforceable. However, the court or presiding officer shall enter appropriate orders upon motion of any party supported by affidavit or sworn declaration, or without motion but on the court's or presiding officer's own accord, to ensure that the identity of any person who is or is alleged to be a victim of sexual harassment or sexual assault is not made public as a result of a disclosure unless such person consents.

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

None.

### **II.C – Expenditures**

This bill would amend RCW 4.24 to make unenforceable any provision of a nondisclosure agreement that would limit production of past sexual harassment or assault evidence by a party to a civil action for sexual harassment or assault. Courts would be required to enter orders to protect the identity of the victim or alleged victim unless that person consents to disclosure.

Court education would be required. This would be managed within existing resources.