

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 6405 SB	Title: Supreme Court Fiscal Notes	Agency: 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
Total:					

Estimated Expenditures from:

STATE	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE – Staff Years		0.8	0.5	0.5	0.5
Account					
General Fund – State (001-1)		88,804	88,804	111,323	111,323
State Subtotal		88,804	88,804	111,323	111,323
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:		88,804	88,804	111,323	111,323

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 require the Office of Financial Management (OFM), in consultation with the Administrative Office of the Courts (AOC), to establish a procedure to provide fiscal notes to estimate the fiscal impact of Washington state Supreme Court decisions.

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

Section 1 – Would amend RCW 43.88A.010 to include Washington state Supreme Court decisions for development of fiscal notes.

Section 2(b) – Would direct OFM, in consultation with the AOC, to establish a procedure to provide fiscal notes estimating the fiscal impact of Washington state Supreme Court decisions. The fiscal note would be required to identify when a Supreme Court decision as explained in a published opinion would impose new or different levels of service that are not currently provided by the government. Supreme Court decisions that have discrete impact to a person, family, business, or property that are likely to have impacts of less than \$500,000 on any state or local government agency would not need to be created but could be created if the amount is a significant portion of a state or local government's total budget. Fiscal notes would be required to indicate by fiscal year the fiscal impact for the remainder of the biennium in which the opinion will first take effect as well as the cumulative forecast of the fiscal impact for the succeeding four fiscal years. Fiscal notes would be required to separately identify the fiscal impacts on the operating, capital, and transportation budgets, and provide a general understanding of impacts on local governments in a manner similar to RCW 43.132.020. Fiscal note estimates for executive branch agencies would be required to be calculated using the procedures contained in the fiscal note instructions issued by OFM.

Section 3(2) – Would require that when a fiscal note which depicts the expected fiscal impact of a Supreme Court decision is prepared and for executive branch agencies is approved as to form, accuracy, and completeness by OFM, copies of the fiscal note would be required to be filed immediately with:

- (a) The fiscal committees of the legislature with jurisdiction of any state fund or account impacted by the decision;
- (b) The committees of the legislature with jurisdiction of the Supreme Court;
- (c) Prompt reporting by public press release via email to each Justice of the Supreme Court, the State Court Administrator, each member of the House of Representatives, each member of the Senate, the news media, and the public. OFM would be required to post and maintain these releases on its web site. Any person on the notification list under Section 3(2)(c) would be allowed to request to not receive these notifications.

Section 4 – Would require OFM, in cooperation with appropriate legislative committees to establish a mechanism for the determination of the fiscal impact of Supreme Court decisions on counties, cities, towns, or any other unit of local government.

Section 5(4) – Would require that when a fiscal note is prepared and approved as to form and completeness by OFM for executive branch agencies for Supreme Court decisions, copies would be transmitted to the people identified in RCW 43.88A.030(2) Senate Ways and Means Committee.

Section 6(1) – Would require OFM, in consultation with the Department of Commerce, to include up to five Supreme Court decisions in their annual report on fiscal impacts to counties, cities, towns, and other units of local governments.

Section 7 – Would require OFM, in consultation with the Department of Commerce, to include Supreme Court decisions in their biennial report (every even numbered year) on the fiscal impacts to local governments.

Section 8(1) – Would require the Office of the Superintendent of Public Instruction (OSPI) to prepare school district fiscal notes on Supreme Court decisions that would impact school districts.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

It is estimated that the development, vetting and refinement of an additional executive branch fiscal note process as well as a judicial impact note process would take approximately six months. An additional staff person would be required for the development period. The staff would be required to understand statewide budget practices, cost identification, development and refinement processes as well as understanding the business and services provided by the state judicial branch. It is further assumed that 0.5 FTE would be required for ongoing opinion analysis and cost development.

Personnel costs are based upon a range 67 step F (Fiscal/Policy Analyst) plus standard operating costs.

Part III: Expenditure Detail

III.A – Expenditures by Object or Purpose

	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE - Staff Years		0.8	0.5	0.5	0.5
A - Salaries & Wages		55,953	55,953	74,604	74,604
B - Employee Benefits		20,283	20,283	27,044	27,044
C - Professional Service Contracts			-		
E - Goods & Services		4,638	4,638	9,275	9,275
G - Travel		-	-	-	-
J - Capital Outlays		7,930	7,930	400	400
P- Debt Service			-		
Total	-	88,804	88,804	111,323	111,323

III.B – Detail:

Job Classification	Salary	FY 2018	FY 2019	2017-19	2019-21	2021-23
Fiscal/Policy Analyst	74,604		0.8	0.5	0.5	0.5
Total FTE's	74,604		0.8	0.5	0.5	0.5

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

None.