

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 2334 SHB	Title: Drug Offender Sentencing	Agency: 055 – Administrative Office of the Courts (AOC)
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Part I: Estimates

☒ **No Fiscal Impact**

Estimated Cash Receipts to:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
Total:					

Estimated Expenditures from:

STATE	FY 2020	FY 2021	2019-21	2021-23	2023-25
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 make various changes to the drug offender sentencing alternative (DOSA). References to drug addiction are changed to “substance abuse disorder”.

This bill differs from HB 2334:

- Would modify certain eligibility criteria for the DOSA;
- Would change the content of and requirements related to certain court-requested DOSA eligibility assessments;
- Would provide that a person ordered to participate in the residential treatment-based DOSA may be initially confined in a county facility in order to facilitate direct transfer to a residential treatment facility, and that residential treatment may be up to six months (instead of three to six months);
- Would provide that treatment completion and continued care for residential treatment-based DOSA sentences must be in accordance with Department of Health rulemaking;
- Would limit credit toward a total confinement sentence for time served on community custody prior to DOSA revocations;
- Would require that the Washington State Institute for Public Policy to report on the effectiveness of the DOSA program; and
- Would make various other technical changes to statutes governing the DOSA.

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

Section 1(d)(i) - Would allow defendants charged with robbery in the second degree (no firearm and not reduced from first degree) to apply for a DOSA if the robbery conviction occurred seven years prior.

Section 1(3) - Would extend the eligibility requirement for residential DOSA from a standard range midpoint of 24 months to 26 months.

Section 1(5)(d) - Would remove requirements from the examination report and would reduce factors for courts consideration.

Section 1(10) – Would give the Washington State Institute for Public Policy the responsibility to report DOSA statistics to the Governor and appropriate committees of the legislature.

Section 2(1) – Would impose a greater than one year requirement for prison based DOSA.

Section 3(1) - Would modify language to allow for earlier discharge from a residential treatment facility.

Section 5 – Would establish an effective date of January 1, 2021 for this bill.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Judgement and Sentencing forms and Statement of Defendant on Plea of Guilty form would need to be modified. Judicial education would be required. These impacts would be managed within existing resources.