

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 2375 HB	Title: Controlled Substances	Agency: 055 – Administrative Office of the Courts (AOC)
--------------------------------	--	--

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:
Agency Preparation: Pamela Kelly	Phone: 360-705-5318	Date: 1/21/2020
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would make it unlawful for a person to possess, purchase deliver sell or possess with intent to sell a tableting machine, encapsulating machine, or controlled substance imitation materials, unless he or she is registered under the Uniform Controlled Substances Act or the transaction complies with certain federal laws.

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

Section 1(5) - Would define controlled substance imitation materials to include any materials that punch, die, plate, stone, or other items designed to print, imprint, reproduce, or create a likeness of the trademark, trade name, or other identifying mark, imprint, or device of another, upon a drug or container or labeling to make a drug look like a controlled substance.

Section 1(6) – Would define encapsulating machine to mean a manual, semiautomatic, or fully automatic equipment that can be used to fill shells or capsules with powdered or granular solids or semisolid material to produce coherent sold contents.

Section 1(7) – Would define tableting machine to mean a manual, semiautomatic, or fully automatic equipment that can be used to compact, compress, or mold powdered or granular solids or semisolid material to produce fused coherent solid tablets.

Section 2(2) – Would make possession, purchase, delivery, sale, or possession with intent to sell a tableting machine, and encapsulating machine or controlled substance imitation materials unless authorized as provided in subsection (5) of this section. Unauthorized possession, purchase, delivery, sale, or possession with intent to sell machines and materials described in Section 1(5) ,(6), and (7) of this bill would be prima facie evidence of intent to manufacture, distribute, or possess with intent to distribute a controlled substance or an imitation controlled substance.

Section 2(5) – Would eliminate civil or criminal liability from those manufacturing, possessing an imitation controlled substance machines or materials if they are registered under the Uniform Controlled Substances Act pursuant to RCW 69.50.301 or 69.50.303 when used in the course of professional practice or research.

Section 3 – Would allow for seizure of any unauthorized tableting machines, encapsulating machines, and controlled substance imitation materials.

Section 4 – Would amend RCW 69.52.045 to include whenever tableting machines, encapsulating machines, or controlled substance imitation materials used in the manufacture, distribution, or possession of an imitation controlled substance in violation of this chapter seized at rental premises, law enforcement shall notify the landlord in writing of the seizure and location of the seizure.

II.B - Cash Receipt Impact

None

II.C – Expenditures

Indeterminate; there is no data to determine the increase in number of cases at the superior or district court level. There would be changes to the law tables and judicial education would be necessary. These impacts could be managed with existing resources.

