

# JUDICIAL IMPACT FISCAL NOTE

|                                |                                  |  |
|--------------------------------|----------------------------------|--|
| <b>Bill Number:</b><br>2632 HB | <b>Title:</b><br>False Reporting | <b>Agency:</b><br>055 – Administrative Office<br>of the Courts (AOC) |
|--------------------------------|----------------------------------|--|

## Part I: Estimates

☐ **No Fiscal Impact**

### Estimated Cash Receipts to:

|               | FY 2020 | FY 2021 | 2019-21 | 2021-23 | 2023-25 |
|---------------|---------|---------|---------|---------|---------|
|               |         |         |         |         |         |
|               |         |         |         |         |         |
| <b>Total:</b> |         |         |         |         |         |

### Estimated Expenditures from:

| STATE                                | FY 2020 | FY 2021 | 2019-21 | 2021-23 | 2023-25 |
|--------------------------------------|---------|---------|---------|---------|---------|
| 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:          |
| Agency Preparation: Pamela Kelly | Phone: 360-705-5318 | Date: 2/3/2020 |
| Agency Approval: Ramsey Radwan   | Phone: 360-357-2406 | Date:          |
| OFM Review:                      | Phone:              | Date:          |

## **Part II: Narrative Explanation**

This bill would amend RCW 9A.84.040 separating the crime of false reporting into first, second, and third degree crimes; making first and second degree false reporting felonies. This bill would also allow for an individual who is a victim of an offense under this RCW to bring civil action against the person who committed the offense.

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

Section 2(1)(a) – Would make a person guilty of false reporting in the third degree when a person makes a false report or circulates a false report knowing that the false report will cause an emergency response.

Section 2(2)(a) – Would make a person guilty of false reporting in the second degree if a person, with knowledge that the information reported is false, reports or warns of an alleged occurrence knowing that such a false report is likely to cause an emergency response and the report was made with reckless disregard for the safety of others, and substantial bodily harm is sustained. (b) Would make false reporting in the second degree a class C felony.

Section 2(3)(a) – Would make a person guilty of false reporting in the first degree if a person, with knowledge that the information reported is false, reports or warns of an alleged occurrence knowing that such a false report is likely to cause an emergency response and the report was made with reckless disregard for the safety of others, and a death is sustained by any person as a result of an emergency response. (b) Would make false reporting in the first degree a class B felony.

Section 2(4) – Would allow for a person convicted of violating this section that resulted in an emergency response liable to the public agency who responded to the emergency, for the reasonable costs of the emergency response.

Section 2(5) – Would allow for a prosecutor to divert the case if there is sufficient evidence to charge a person under the age of eighteen with the crime of false reporting when the alleged offense is the offender's first violation of this section.

Section 2(6) – Would allow for violations or attempted violations of this section to be prosecuted in any jurisdiction where the defendant made the false report, the county where the false report was communicated to law enforcement or the county where law enforcement responded to the false report.

Section 2(7) – Would allow for a person who is a victim of an offense under this section to bring a civil action against the person who committed the offense or any person who knowingly benefits financially or by receiving anything of value in participating in an act in violation of this chapter.

Section 2(8) – Would define "emergency response" to mean an action to protect life, health or property by: (a) a law enforcement agency (b) an agency that provides fire, rescue or emergency medical services.

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

None

### **II.C – Expenditures**

Indeterminate, the impacts of this bill would result in small increase in new civil action lawsuits and superior court filings.

This bill would require update to the law tables, jury instructions and minor IT changes. Judicial education would be required. These impacts would be managed within existing resources.