

# JUDICIAL IMPACT FISCAL NOTE

<b>Bill Number:</b> 5149 2SSB	<b>Title:</b> DV Electronic Monitoring	<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 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)		68,096	68,096		
State Subtotal		68,096	68,096		
<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>		<b>68,096</b>	<b>68,096</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: Sam Knutson	Phone: 360-704-5528	Date: 2/20/2020
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

## **Part II: Narrative Explanation**

This bill would create the “Tiffany Hall” Act.

This bill would modify domestic violence statutes to provide for the imposition of electronic monitoring that would include victim identification technology that can notify a victim if the monitored person is at a prohibited location.

The bill would direct the Administrative Office of the Courts (AOC) to develop a list of vendors or contract with a vendor who can provide Electronic Monitoring with Victim Notification Technology (EMVNT). The AOC would be required to provide outreach to counties regarding EMVNT, and provide informational handouts regarding EMVNT to persons seeking a protection order.

The bill would provide state and local government immunity from liability for the utilization of EMVNT unless the state or local government entity acted with gross negligence or in bad faith.

NOTE – This bill differs from the previous version by removing the requirement for the AOC (subject to appropriation) to provide funding to counties to cover the cost of EMVNT when a respondent is unable to pay for the costs of electronic monitoring.

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

Section 6(1)(a) – Would direct the Administrative Office of the Courts (AOC) to develop a list of vendors or enter into a contract with a vendor that provides EMVNT technology. The AOC would be required to provide outreach to counties as to how courts may access the vendor or vendors.

Section 6(1)(b) – Would direct the AOC to create an informational handout on the opportunity to request electronic monitoring with EMVNT to be provided to persons seeking a protection order and for which EMVNT is available.

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

None.

### **II.C – Expenditures**

#### Section 6(1)(a) – EMVNT Vendor List / Contract

This bill would require the Administrative Office of the Courts (AOC) to develop a list of vendors that can provide Electronic Monitoring with Victim Notification Technology (EMVNT), or contract with a vendor that provides EMVNT. The AOC would be required to provide outreach to counties as to how courts may access the vendor or vendors.

For purposes of this analysis, and to ensure an efficient and standard level of EMVNT deployment, the AOC assumes that two regional contracts would be procured. If the AOC contracted with an EMVNT vendor, a Request for Proposal (RFP) process would be required. The AOC would need to execute a master contract with more than one vendor that would be made available to the courts. This would likely require regional contracts for courts in Eastern or Western Washington. The AOC would require 1.0 FTE Contract Specialist (Range 59) for six

months to manage the RFP process, and implement the program. Cost would be estimated at \$47,596.

#### Section 6(1)(b) – Informational Handouts

The bill would require the AOC to create informational handouts explaining EMVNT to individuals seeking a protection order and for which EMVNT is available. The information would be required to include a description of the technology, requirements for accessing the technology, and limitations on how the technology may or may not assist the person in maintaining the safety of the victim and the victim's family, and how the person may request EMVNT from a court.

The bill does not provide for a specific EMVNT technology, thus a general approach for document development is assumed.

Creation of informational handouts explaining EMVNT would require oversight of at least two judges and two court administrators, one each representing Eastern and Western Washington jurisdictions. Four meetings for document design and development are assumed which would require travel and meeting costs. This cost is estimated at \$10,000.

In addition, creation of the document would include 40 hours at the senior legal analyst level to review vendors' technology information, prepare draft documents, and work with agency support staff and webmasters for final proofreading/editing, and website forms updates. The AOC assumes this cost could be managed within existing resources.

Assuming the informational brochure/handouts would be one-page documents, printing and postage costs are estimated at \$10,500.

The bill does not have an effective date, so the AOC assumes an effective date of July 1, 2020.

#### **Summary of Costs**

<b>Object</b>	<b>2020</b>	<b>2021</b>	<b>2019 - 2021</b>	<b>2022</b>	<b>2023</b>	<b>2021-2023</b>
FTE		0.5	0.3	-	-	-
Salaries		33,317	33,317			-
Benefits		14,279	14,279			-
Travel		10,000	10,000			-
Handouts		10,500	10,500			-
<b>Total</b>	<b>-</b>	<b>68,096</b>	<b>68,096</b>	<b>-</b>	<b>-</b>	<b>-</b>