

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5867 SSB	Title: Drug Offense Resentencing	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.

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OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would amend RCW 9.94A directing courts to provide a resentencing hearing to any offender sentenced for a violation of RCW 69.50 or RCW 69.52 who committed their offense prior to July 1, 2004 and who remains incarcerated as a result of the sentencing from that crime.

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

Section 1(1) – Would provide that an offender sentenced for a violation of RCW 69.50 or RCW 69.52 that was committed prior to July 1, 2004, and serving a term of incarceration for that drug offense is entitled to a resentencing hearing. The prosecuting attorney for a county in which any offender would be required to review the sentencing documents. Would provide that if an offender is serving a term of incarceration for a violation of RCW 69.50 or RCW 69.52 committed prior to July 1, 2004, the prosecuting attorney would be required, or an offender may, make a motion for relief from sentence to the original sentencing court.

Section 1(2) – Would require that a sentencing court shall grant the motion if it finds that the offender is serving a sentence for a violation of RCW 69.50 or RCW 69.52 that was committed prior to July 1, 2004, and shall immediately set an expedited date for resentencing.

Section 1(3) – Would provide that in no case may the resentencing result in the offender serving a greater term of total confinement.

Section 1(4) – Would provide an expiration date of July 1, 2021 for this bill.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Indeterminate. There is no data available to estimate the number of motions that would result from this bill.