

# JUDICIAL IMPACT FISCAL NOTE

<b>Bill Number:</b> 1169 SHB	<b>Title:</b> Sentencing Enhancements	<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 2022	FY 2023	2021-23	2023-25	2025-27
<b>Total:</b>					

### Estimated Expenditures from:

STATE	FY 2022	FY 2023	2021-23	2023-25	2025-27
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.

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## **Part II: Narrative Explanation**

This bill would make various changes to felony sentencing laws.

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

Section 1 – Would amend the definition for pattern of street crime gang activity by removing a felony conviction for offenders eighteen years or older with a special finding involving a juvenile drug offense.

Section 2(3)(e)(i) – Would allow the court to require any person sentenced to multiple firearm enhancements to have these enhancements run consecutively.

Section 2(4)(e)(ii) Would allow the court to require any person sentenced to multiple deadly weapon enhancements to have these enhancements run consecutively.

Section 2(7) – Would require persons found guilty of vehicular homicide where there are three prior offenses as defined in RCW 46.61.5055 that all sentencing enhancements must be served in total confinement.

Section 2(10) – Would remove the standard range multiplier for criminal street gang felony for person over eighteen where they has been found guilty of encouraging a minor to participate in the crime.

Section 5(2) – Would allow for early release / good time for an offender who has been convicted where deadly weapon enhancements under RCW 9.94A.533 apply or when an offender has impaired driving and minor child enhancements as part of their sentence.

Section 8 – Would allow defendant's currently serving enhancement time or prosecutor's to petition the sentencing court for resentencing on the basis that the consecutive sentence no long furthers the interests of justice. The court would have discretion to resentence, but the new sentence cannot be longer. The prosecutor must notify the victims before the resentencing hearing.

Section 9 – Would repeal RCW 9.94A.833 (Special allegation—Involving minor in felony offense—Procedures) and RCW 69.50.435 (Violations committed in or on certain public places.)

Section 10 – Would provide that the changes in this bill are retroactive and the Department of Corrections must recalculate the defendant's sentences that are affected by this bill.

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

None.

### **II.C – Expenditures**

Forms revisions, and updates to the law tables. Court education would be required. These impacts would be managed within existing resources.

Section 8 of this bill would have the potential to increase hearings by allowing matters to return to courts that would otherwise have been finished. It is unknown how many hearings may result.

## **Part III: Expenditure Detail**

**III.A – Expenditures by Object or Purpose**

	<b>FY 2022</b>	<b>FY 2023</b>	<b>2021-23</b>	<b>2023-25</b>	<b>2025-27</b>
FTE – Staff Years					
A – Salaries & Wages					
B – Employee Benefits					
C – Prof. Service Contracts					
E – Goods and Services					
G – Travel					
J – Capital Outlays					
P – Debt Service					
<b>Total:</b>					

**III.B – Detail:**

<b>Job Classification</b>	<b>Salary</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>2021-23</b>	<b>2023-25</b>	<b>2025-27</b>
<b>Total FTE's</b>						

**Part IV: Capital Budget Impact**

None.

**Part V: New Rule Making Required**

None.