

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5120 SSB	Title: Criminal Sentencing of Youth	Agency: 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
Total:					

Estimated Expenditures from:

STATE	FY 2022	FY 2023	2021-23	2023-25	2025-27
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:
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Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would codify *State v Gilbert*, 193 Wn. 2d 169, 438 P.3d 133 (2019) which would require a court to consider youth as a mitigating factor when defendants are under the age of 18 at the time of the offense in question, but are convicted in adult court.

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

This bill differs from 5120 SB:

Would clarify court discretion to depart from mandatory minimums, standard sentence range, and mandatory sentence enhancements to impose any lesser sentence.

Section 2(2) – Would provide that if a person is being sentenced in adult court for a crime committed under age 18, the court must consider the mitigating factors of youth and the court has full discretion to depart from mandatory sentencing enhancements, mandatory minimums, and the standard range sentence to impose any lesser sentence.

Section 3 – Would require that in any criminal case where an offender was sentenced prior to March 2, 2017 in adult court for a crime that occurred under the age of 18, the offender must have a resentencing hearing upon their motion for relief from sentence to the original sentencing court.

Section 4 – Would provide that this bill would apply to all causes of action commenced on or after the effective date of the bill, regardless of when the cause of action arose. Would provide that this bill would apply retroactively, and prospectively.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Court education would be required. This would be managed within existing resources.