

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5163 2SSB	Title: Conditionally Released SVP	Agency: 055 – Administrative Office of the Courts (AOC)
----------------------------------	---	--

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:
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 2/23/2021
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

This bill would add a discharge plan as a part of the treatment process for sexually violent predators (SVP). The bill would establish minimum requirements for the discharge plan. The bill would provide that the Department of Corrections (DOC) may authorize the offender to petition for a less restrictive alternative placement if the DOC agrees that they would qualify. The bill would provide that upon receipt of the petition, a court shall order the DOC to identify the less restrictive alternative within 90 days.

The bill would provide that DOC may propose housing outside of the county of commitment if placement is consistent with fair share principals of release. A definition for fair share principals of release is provided.

The bill would provide that when considering a less restrictive alternative for a person with one or more victims under the age of 18, a court must consider whether it is necessary to impose a restriction on the proximity of the person's residence to public or private schools providing instruction to kindergarten or any grades one through twelve.

The bill would provide that if a court authorizes conditional release based on DOC's proposal to a county other than the county of commitment, a court shall enter specific findings regarding its decision and identify whether the release remains in line with fair share principles.

The bill would provide that when ordered by the court, DOC must provide less restrictive alternative treatment and the bill outlines minimum standards. The bill would add a new question that must be determined by a court during the annual review of a release to a less restrictive alternative (i.e., whether the conditional release is the best way to protect the person and community). The bill would provide that if a person disappears while on conditional release, the DOC may issue a 72 hour warrant pending a warrant by the court.

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

II.B - Cash Receipt Impact

None.

II.C – Expenditures

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