

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5172 ESSB	Title: Agricultural Overtime	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 phase in overtime pay requirements for certain agricultural employees, and would prohibit the award of damages or other relief to agricultural employees seeking unpaid overtime due under the overtime statute as it existed on November 4, 2020 and would apply the prohibition retroactively.

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

Section 5 – Would provide that (1) no damages, statutory or civil penalties, attorneys' fees and costs, or other type of relief may be granted against an employer to an agricultural employee seeking unpaid overtime due to the agricultural employee's historical exclusion from overtime under RCW 49.46.130(2)(g), as it existed on November 4, 2020; (2) would provide that this section applies retroactively to claims filed after November 5, 2020, and before the effective date of this section; and (3) this section does not apply to agricultural employees entitled to back pay or other relief as a result of being a member in the class of plaintiffs in *Martinez-Cuevas v DeRuyter Bros. Dairy*.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

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