

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 5293 SSB	Title: Mental Health Sentencing Alternative	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 create a mental disability sentencing alternative allowing imposition of a period of community custody and mental health treatment in lieu of a standard range sentence for certain defendants. The bill would provide conditions of supervision for persons participating in the sentencing alternative. The bill would allow courts to schedule progress hearings to monitor the person during the sentencing alternative.

This bill differs from SB 5293:

- Would change the name of the alternative to Mental Health Sentencing Alternative (MHSA);
- Would change eligibility for a MHSA to require diagnosis of a serious mental illness defined as a mental, behavioral, or emotional disorder resulting in a serious functional impairment which substantially interferes with or limits one or more major life activities;
- Would require a court to consider the victim's opinion whether the defendant should receive a MHSA;
- Would increase requirements for a proposed treatment plan under a MHSA to include an intake evaluation, psychiatric evaluation, development of an individualized treatment plan to be submitted to the Department of Corrections and the court, and a monitoring agreement in which the treatment provider agrees to provide notifications to the court;
- Would provide discretion to the court over the scheduling of progress hearings for the defendant;
- Would require treatment issues arising during supervision to be discussed collaboratively between the community corrections officer and treatment provider to jointly determine intervention; and
- Would remove authority to spend money from the Criminal Justice Treatment Account

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

Section 1 – Would provide that a convicted defendant would be eligible for the mental health sentencing alternative (MHSA) to incarceration if certain criteria are met.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Judicial education would be required, forms revised, and new coding established. These impacts would be managed within existing resources.