

Judicial Impact Fiscal Note

Bill Number: 6246 SB 6246.E AMH CRJ H3329.2	Title: Firearm info./mental health	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

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 for 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: Edie Adams	Phone: 360-786-7180	Date: 02/21/2024
Agency Preparation: Jackie Bailey-Johnson	Phone: 360-704-5545	Date: 02/29/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/29/2024
OFM Review:	Phone:	Date:

195,352.00

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Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

The engrossed bill relates to the transmission of information relating to firearm prohibitions for person committed for mental health treatment.

This bill specifies that “a finding of not guilty by reason of insanity” shall be forwarded within 3 judicial days as part of the information sent to Department of Licensing (DOL) and Washington State Patrol (WSP) Firearms program as part of the information within RCW 9.41.047(1)(b).

This bill splits old 9.41.047(1)(b) into two parts and creates a new subsection c section starting at “by court order” in the current RCW and amends to add that the court shall forward within 3 judicial days (this new subsection is primarily addressing commitments). New c adds that DOL, and the criminal division of the county prosecutor in the county of commitment shall be forwarded information as well as WSP Firearms background check along with the information that is currently required to be sent under old b. Dismissal or charges based on 10.77.084 (stay of proceedings) and 10.77.086 (competency restore felony procedure) are added to new (c).

A dismissal of charges based on incompetency to stand trial under 10.77.084 (stay of proceedings treatment and restoration of competency) as well as 10.77.086 (competency restoration procedure in felony charges) DOL, WSP and the county in which the commitment to the prosecutor’s office of the criminal division of that county.

This bill adds that a person whose charges are dismissed based upon RCW 10.77.086 as a being eligible to petition the court for restoration of firearms.

This bill adds active extreme risk protection order (ERPO) as a prohibitor to petition for restoration of firearms.

This bill amends RCW 9.41.049 to add the criminal division of the county prosecutor in the county of Commitment as well as WSP firearms background check, a copy of the information within subsection.

This bill directs RCW 10.77.086 the court to issue an order if a dismissal occurs under subsection 7 that the defendant is prohibited from owning a firearm until a court restores their ability under 047, and that they must immediately surrender any firearms in possession and any concealed pistol license to local law enforcement agency (LEO). The court is to notify defendant both in writing and orally.

This bill adds similar language to RCW 10.77.088 for charges that are dismissed under subsection 1-7 within that RCW.

II. B - Cash Receipts Impact

None

II. C - Expenditures

This bill would have minor impact to the Administrative Office of the Courts by requiring this information to be included in court education and forms changes.

The total impact to courts is indeterminate.

The courts would experience additional fiscal impact because they would be required to send out additional notices to the Department of Licensing, the Washington State Patrol, and the county prosecutor criminal division in the county of commitment. The estimate per case is an additional 15 minutes for county clerks and an additional 3-5 minutes for the CLJ clerks to provide the notice.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditure By Object or Purpose (County)

Non-zero but indeterminate cost and/or savings. Please see discussion.

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Form FN (Rev 1/00)

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III. C - Expenditure By Object or Purpose (City)

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE