

Judicial Impact Fiscal Note

Bill Number: 1218 HB	Title: Competency evaluation and restoration services	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:

STATE	FY 2026	FY 2027	2025-27	2027-29	2029-31
State FTE Staff Years					
Account					
General Fund-State 001-1	3,500		3,500		
State Subtotal \$	3,500		3,500		
COUNTY	FY 2026	FY 2027	2025-27	2027-29	2029-31
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2026	FY 2027	2025-27	2027-29	2029-31
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					

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.

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OFM Review:	Phone:	Date:

196,815.00

Request # 014-1

Form FN (Rev 1/00)

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Bill # 1218 HB

Part II: Narrative Explanation

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

This bill seeks to reconcile Trueblood requirements with needs for criminal defendants to receive forensic navigation services during pretrial evaluations.

Sec. 1: New section, outlines legislative intent

Sec. 2: Amends RCW 10.77.074, permitting appointment of forensic navigators for B and C felonies and all misdemeanors, but prohibiting referrals for A felonies unless court requested

Sec. 3: Amends RCW 10.77.084, adding provisions for defendants who are released on personal recognizance while awaiting for competency restoration services; if a local program has adequate space, then the Dept. must recommend a service plan to the court and parties. If restoration is still required, then the court must order outpatient competency restoration. The Dept. must try to schedule or admit the defendant for evaluation or restoration at least twice. If it is unable to do so or the defendant fails to appear, then the Dept. must submit a report to the court and parties with a rescheduling date and time at least two weeks later. If, after receiving notice, the defendant fails to appear, then the court must recall the order for evaluation or restoration and may issue a FTA warrant.

Secs. 4 & 5: Amends RCW 10.77.086 and .088, changes pretrial conditions language. Adds language that notice from Dept. is required when, after being ordered to inpatient competency restoration, the defendant's condition improves such that outpatient restoration becomes appropriate. Upon receiving notice, the court must schedule a hearing within 5 days, and issue appropriate orders if it finds the defendant's condition has changed such that outpatient competency restoration is suitable.

Sec. 6: Amends RCW 10.77.092, requires the court to make a medication determination when sufficient information is provided based on *Sell v. U.S.*

Secs. 7 & 8: Amends RCW 43.84.092, adds the behavioral health diversion fund

Sec. 9: New section, instructs the Dept. to develop, implement, and establish certain programs and caps

Sec. 10: New section, creates the behavioral health diversion fund

Sec. 11: New section, establishes appropriations from the BH diversion fund for counties that meet certain incentive cap requirements

Sec. 12: New section, requires the Dept. to notify all court levels of the total number of inpatient competency restoration orders, beginning Jan. 1, 2026, on a quarterly basis

Sec. 13: New section, establishes Dept. mandate to convene a taskforce to implement a growth cap system for inpatient competency services, beginning in fiscal year 2026

Sec. 14: New section, defines certain new terms

Sec. 15: expiration date for sec. 7 is July 1, 2028

Sec. 16: effective date for sec. 8 is July 1, 2028

II. B - Cash Receipts Impact

None

II. C - Expenditures

This bill would have minimal fiscal impact to the Administrative Office of the Courts.

ADMINISTRATIVE OFFICE OF THE COURTS

The bill would require forms updates. This is estimated to be \$3,500 in FY 2026.

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Part III: Expenditure Detail

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

<i>State</i>	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Professional Service Contracts					
Goods and Other Services	3,500		3,500		
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$	3,500		3,500		

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

NONE

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

NONE

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

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None

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