

Judicial Impact Fiscal Note

Bill Number: 1499 HB	Title: Legal financial obligations	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.

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OFM Review:	Phone:	Date:

203,418.00

Request # 105-2

Form FN (Rev 1/00)

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Bill # 1499 HB

Part II: Narrative Explanation

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

Section 1 adds a new section to chapter 10.01 having a tiered by date of case filing (1)(a-c) making previous imposed judgments against an offender for any costs, fees and interest on LFO’s to be repealed or eliminated.

Subsection 2 allows the court to start an administrative process to waive outstanding debt for any uncollectable LFO and the court must ensure that the debt is waived within the statutorily required deadline; do not affect an individuals credit; are recalled from any collections agency; do not appear in any background check. Subsection 3 allows the clerk of the superior court to seek a judicial order to waive outstanding debt for costs and fees other than restitution and for accrued interest on LFO’s.

Section 2-5 are changes/striking of language within existing RCW’s to match with the legislation.

Section 6 amends 7.105.450 to not require the respondent under these cases to pay for the costs of electronic monitoring;

Section 8 amends to strike the cost of monitoring from participation in a work crew under 9.94a.725. The last paragraph of the current statute is struck and is amended to posit that no fees or assessments shall be charged to an offender for participation in a work crew or the costs of urinalysis or breathalyzer monitoring.

Section 11 strikes out language from 9.94a.760(3) for offenders that the court finds has the ability to pay for incarceration the court may require them to pay for it. Section 13 strikes out the first three subsections of 10.01.160 (what constitutes payment by defendant) and inserts “that the court shall not order a D to pay costs except as specifically authorized by statute. “costs may mean any amount whether designated a fee, assessment or cost, that is imposed for the costs associated with a D’s arrest, prosecution, detention, or supervision in connection with a criminal offense.”

Section 14 gives a definition of indigent.

Section 15 amends the payment within specified time or installments statute and adds language that no additional fee, penalty or assessment may be charge for a D to pay an LFO over a period of time or installment.

II. B - Cash Receipts Impact

None

II. C - Expenditures

Indeterminate, but certainly a high fiscal impact. While the total number of cases is unknown, the impact to local governments would be significant. Although the Administrative Office of the Courts (AOC) would spend approximately 480 hours updating just the superior court system to accommodate the changes required by the bill, cases would have to be reviewed manually at district and municipal courts. There are approximately 132,000 cases that would need to be reviewed and each review would take approximately 30 minutes. There are approximately 206,000 cases that would need to be reviewed (initially manually) by superior courts. This impact does not consider that the loss of revenue to local governments as reflected in the bill may eliminate probation offices in courts of limited jurisdiction due to funding constraints.

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.

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

None