

Judicial Impact Fiscal Note

Bill Number: 1591 HB	Title: Defendant survivors	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:

200,920.00

Request # 154-1

Part II: Narrative Explanation

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

Section 1 creates a new section within 9.94a allowing courts to take into consideration for reducing any term of incarceration or other criminal penalties if at the time of sentencing the defendant was a victim of domestic abuse, sexual violence, sexual assault, human trafficking, or psychological abuse inflicted by an intimate partner or family or household member; and that these were a significant contributing factor to the criminal conduct and the applicable sentencing standards were unduly harsh considering the circumstances.

Section 2 authorizes individuals who qualify under section 1 of this legislation to be eligible for sentencing alternatives.

Section 3 authorizes individuals who meet the criteria of section 1 and serving a sentence of at least 8 years imposed prior to this leg the ability to petition the court for resentencing. Criteria; denials; appeal of denial are the rest of this section.

Section 4-9 make changes within existing RCWs to adhere to sections 1-3 of this legislation.

Section 10 allows a person who has been discharged upon completion of their sentence can prior to the effective date of this section for offenses where the D qualifies under the criteria listed out in section 1 apply for vacation of their record. Considerations for the court to consider under subsection 2 and subsection 3 allows the court to vacate despite the restrictions listed under 9.94a.640(2).

Section 12 allows a defendant that has completed the conditions of their sentence for convictions effective before this bill if the person convicted meets the criteria under section 1. If found to qualify, the court may waive the restriction under RCW 9.96.060(2) and vacate the conviction.

II. B - Cash Receipts Impact

None

II. C - Expenditures

Indeterminate. Caseload may increase, but the number is unknown. The Administrative Office of the Courts (AOC) has no data available to estimate the number of resentencing, vacate petitions or proceedings that would result because of this bill.

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

200,920.00

Form FN (Rev 1/00)

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