

SENATE BILL REPORT

SB 6349

As of January 28, 2006

Title: An act relating to requiring the projected costs of certain criminal justice legislation to be appropriated into accounts to be used for capital costs.

Brief Description: Requiring the projected costs of certain criminal justice legislation to be appropriated into accounts to be used for capital costs.

Sponsors: Senators Kline, Haugen and Franklin.

Brief History:

Committee Activity: Judiciary:

SENATE COMMITTEE ON JUDICIARY

Staff: Aldo Melchiori (786-7439)

Background: The Office of Financial Management (OFM), in cooperation with appropriate legislative committees and legislative staff and local entities, establishes a procedure for the provision of fiscal notes on the expected impact of bills and resolutions which increase or decrease or tend to increase or decrease state government revenues or expenditures, as well as those which directly or indirectly increase or decrease revenues or expenditures by local government entities. The fiscal notes indicate by fiscal year the impact for the remainder of the biennium in which the bill or resolution will first take effect as well as a cumulative forecast of the fiscal impact for the succeeding four fiscal years. Fiscal notes separately identify the fiscal impacts on the operating and capital budgets. Estimates of fiscal impacts are calculated using the procedures contained in the fiscal note instructions issued by OFM.

Summary of Bill: OFM prepares a fiscal note for any bill introduced before the Legislature that would result in a net increase in the periods of incarceration in state and local adult or juvenile facilities. The fiscal note must identify operating costs for a 12 year period, unless the estimated cost exceeds \$1 million, in which case the fiscal note must encompass a 20 year period. A copy of the fiscal note is sent to the prime sponsor of the legislation who must then identify a revenue source or budget reduction declaring how the proposed legislation would be funded. The fiscal note and identified source information are transmitted to the chairperson for the committee to which the bill has been referred.

A state corrections special reserve account is created. Monies in the account may only be used for capital expenses relating to state correctional institutions. For each law enacted that results in a net increase in the periods of incarceration in state adult or juvenile facilities, the Legislature must make a one-time transfer from the general fund to the state corrections special reserve account in an amount equal to the estimated increase in state operating costs for the year with the highest increase in costs indicated by the fiscal note.

A local corrections special reserve account is created. Monies in the account may only be used for capital expenses relating to local government capital expenses. For each law enacted that results in a net increase in the periods of incarceration in local adult or juvenile facilities, the Legislature must make a one-time transfer from the general fund to the local corrections special reserve account in an amount equal to the estimated increase in local operating costs for the year with the highest increase in costs indicated by the fiscal note. Local entities submit petitions to the Department of Community, Trade, and Economic Development (CTED) for reimbursement of increased capital costs associated with increased local offender populations. CTED, in consultation with the Washington Association of Sheriffs and Police Chiefs, develops a procedure for prioritizing the petitions. By January 1st of each year, CTED submits a prioritized list of submitted petitions that are recommended for funding by the Legislature.

Appropriation: None.

Fiscal Note: Requested on January 28, 2006.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.