

# Multiple Agency Fiscal Note Summary

|                                 |   |
|---------------------------------|---|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft |
|---------------------------------|---|

## Estimated Cash Receipts

| Agency Name             | 2023-25  |             |               | 2025-27  |             |                | 2027-29  |             |                |
|-------------------------|----------|-------------|---------------|----------|-------------|----------------|----------|-------------|----------------|
|                         | GF-State | NGF-Outlook | Total         | GF-State | NGF-Outlook | Total          | GF-State | NGF-Outlook | Total          |
| Department of Licensing | 0        | 0           | 24,000        | 0        | 0           | 222,000        | 0        | 0           | 222,000        |
| <b>Total \$</b>         | <b>0</b> | <b>0</b>    | <b>24,000</b> | <b>0</b> | <b>0</b>    | <b>222,000</b> | <b>0</b> | <b>0</b>    | <b>222,000</b> |

| Agency Name         | 2023-25                   |       | 2025-27   |       | 2027-29   |       |
|---------------------|---------------------------|-------|-----------|-------|-----------|-------|
|                     | GF- State                 | Total | GF- State | Total | GF- State | Total |
| Local Gov. Courts   | Fiscal note not available |       |           |       |           |       |
| Loc School dist-SPI |                           |       |           |       |           |       |
| Local Gov. Other    |                           |       |           |       |           |       |
| Local Gov. Total    |                           |       |           |       |           |       |

## Estimated Operating Expenditures

| Agency Name                                 | 2023-25  |               |               |                | 2025-27    |          |             |                | 2027-29    |          |             |                |
|---|--|---------------|---------------|----------------|------------|----------|-------------|----------------|------------|----------|-------------|----------------|
|   | FTEs   | GF-State      | NGF-Outlook   | Total          | FTEs       | GF-State | NGF-Outlook | Total          | FTEs       | GF-State | NGF-Outlook | Total          |
| Administrative Office of the Courts         | Fiscal note not available  |               |               |                |            |          |             |                |            |          |             |                |
| Office of Public Defense                    | .0   | 0             | 0             | 0              | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| Office of Attorney General                  | .0   | 0             | 0             | 0              | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| Caseload Forecast Council                   | .0   | 0             | 0             | 0              | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| Department of Revenue                       | .0   | 9,000         | 9,000         | 9,000          | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| Office of Insurance Commissioner            | .0   | 0             | 0             | 0              | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| Washington State Patrol                     | .1   | 0             | 0             | 45,700         | .5         | 0        | 0           | 279,400        | .5         | 0        | 0           | 279,400        |
| Criminal Justice Training Commission        | .0   | 0             | 0             | 0              | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| Department of Licensing                     | 1.7  | 0             | 0             | 105,000        | 2.1        | 0        | 0           | 604,000        | 2.1        | 0        | 0           | 604,000        |
| Department of Children, Youth, and Families | Non-zero but indeterminate cost and/or savings. Please see discussion. |               |               |                |            |          |             |                |            |          |             |                |
| Department of Corrections                   | .0   | 7,000         | 7,000         | 7,000          | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| Washington State University                 | .0   | 0             | 0             | 0              | .0         | 0        | 0           | 0              | .0         | 0        | 0           | 0              |
| <b>Total \$</b>                             | <b>1.8</b>   | <b>16,000</b> | <b>16,000</b> | <b>166,700</b> | <b>2.6</b> | <b>0</b> | <b>0</b>    | <b>883,400</b> | <b>2.6</b> | <b>0</b> | <b>0</b>    | <b>883,400</b> |

| Agency Name         | 2023-25  |          |         | 2025-27 |          |       | 2027-29 |          |       |
|---------------------|--|----------|---------|---------|----------|-------|---------|----------|-------|
|                     | FTEs   | GF-State | Total   | FTEs    | GF-State | Total | FTEs    | GF-State | Total |
| Local Gov. Courts   | Fiscal note not available  |          |         |         |          |       |         |          |       |
| Loc School dist-SPI |  |          |         |         |          |       |         |          |       |
| Local Gov. Other    |  |          | 528,221 |         |          |       |         |          |       |
| Local Gov. Other    | In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note. |          |         |         |          |       |         |          |       |
| Local Gov. Total    |  |          | 528,221 |         |          |       |         |          |       |

### Estimated Capital Budget Expenditures

| Agency Name                                 | 2023-25                   |          |          | 2025-27    |          |          | 2027-29    |          |          |
|---|---------------------------|----------|----------|------------|----------|----------|------------|----------|----------|
|   | FTEs                      | Bonds    | Total    | FTEs       | Bonds    | Total    | FTEs       | Bonds    | Total    |
| Administrative Office of the Courts         | Fiscal note not available |          |          |            |          |          |            |          |          |
| Office of Public Defense                    | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Office of Attorney General                  | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Caseload Forecast Council                   | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Revenue                       | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Office of Insurance Commissioner            | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Washington State Patrol                     | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Criminal Justice Training Commission        | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Licensing                     | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Children, Youth, and Families | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Corrections                   | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Washington State University                 | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| <b>Total \$</b>                             | <b>0.0</b>                | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> |

| Agency Name         | 2023-25  |          |       | 2025-27 |          |       | 2027-29 |          |       |
|---------------------|--|----------|-------|---------|----------|-------|---------|----------|-------|
|                     | FTEs   | GF-State | Total | FTEs    | GF-State | Total | FTEs    | GF-State | Total |
| Local Gov. Courts   | Fiscal note not available  |          |       |         |          |       |         |          |       |
| Loc School dist-SPI |  |          |       |         |          |       |         |          |       |
| Local Gov. Other    | Non-zero but indeterminate cost and/or savings. Please see discussion. |          |       |         |          |       |         |          |       |
| Local Gov. Total    |  |          |       |         |          |       |         |          |       |

### Estimated Capital Budget Breakout

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|  |
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|                                       |                                 |   |
|---------------------------------------|---------------------------------|---|
| <b>Prepared by:</b> Tiffany West, OFM | <b>Phone:</b><br>(360) 890-2653 | <b>Date Published:</b><br>Preliminary 2/21/2024 |
|---------------------------------------|---------------------------------|---|

# Individual State Agency Fiscal Note

|                                 |   |   |
|---------------------------------|---|---|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 056-Office of Public Defense |
|---------------------------------|---|---|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|  |                       |                  |
|--|-----------------------|------------------|
| Legislative Contact: Bryon Moore         | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Sophia Byrd McSherry | Phone: 360-586-3164   | Date: 02/16/2024 |
| Agency Approval: Sophia Byrd McSherry    | Phone: 360-586-3164   | Date: 02/16/2024 |
| OFM Review: Gaius Horton                 | Phone: (360) 819-3112 | Date: 02/17/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The Washington State Office of Public Defense (OPD) anticipates no fiscal impact from ESHB 2153.

ESHB 2153 amends criminal statutes to create crimes and penalties associated with trafficking in catalytic converters. Counties and cities are responsible for public defense services for criminal matters in the trial courts. Washington State OPD does not administer trial-level criminal public defense.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                 |   |   |
|---------------------------------|---|---|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 100-Office of Attorney General |
|---------------------------------|---|---|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                   |                       |                  |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore  | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Dave Merchant | Phone: 360-753-1620   | Date: 02/16/2024 |
| Agency Approval: Dianna Wilks     | Phone: 360-709-6463   | Date: 02/16/2024 |
| OFM Review: Val Terre             | Phone: (360) 280-3973 | Date: 02/17/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

1. The Attorney General's Office (AGO) Criminal Justice Division (CRJ) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Washington State Patrol (WSP). Section 21 would require the WSP to conduct periodic inspections at least once a year of purchasers licensed under Chapters 46.79 or 46.80 RCW, of catalytic converters that have been removed from vehicles, develop a standardized inspection form, train local law enforcement agencies on inspection procedures, and authorize inspections to be conducted by civilian employees or limited authority law enforcement agencies if necessary. The bill will also require WSP to create a process for exempting certain vehicle dealers from the requirement to mark all catalytic converters prior to sale of a vehicle. There may be some small amount of hours to provide advice regarding implementation, but new legal services are nominal and costs are not included in this request.

2. The AGO Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not increase or decrease the division's workload in representing WSP and Criminal Justice Training Center (CJTC). This bill will require WSP to conduct periodic inspections at least once a year of purchasers, licensed under Chapters 46.79 or 46.80 RCW, of catalytic converters that have been removed from vehicles, develop a standardized inspection form, train local law enforcement agencies on inspection procedures, and authorize inspections to be conducted by civilian employees or limited authority law enforcement agencies if necessary. WSP does not handle enforcement actions against these license types. Therefore, this bill would not result in any administrative litigation for either WSP or the CJTC, so it would not implicate any of GCE's client programs. Therefore, no costs are included in this request.

3. The AGO Licensing & Administrative Law Division (LAL) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Licensing (DOL). The enactment of this bill will not impact the provision of legal services to the DOL because the amendments require customers applying for vehicle titles to obtain a certificate of vehicle inspection that shows history of vehicle to ensure that vehicle and all major parts were obtained legally. This bill also requires any person presenting a vehicle for inspection to provide original invoices for new and used parts. The burden of compliance will fall largely on the consumer. Inspections will be conducted primarily by WSP. There may be an increase of enforcement actions or legal advice requests, and some rulemaking may be needed. New legal services are nominal and costs are not included in this request.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE



**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                 |   |  |
|---------------------------------|---|--|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 101-Caseload Forecast Council |
|---------------------------------|---|--|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore      | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Clela Steelhammer | Phone: 360-664-9381   | Date: 02/16/2024 |
| Agency Approval: Clela Steelhammer    | Phone: 360-664-9381   | Date: 02/16/2024 |
| OFM Review: Danya Clevenger           | Phone: (360) 688-6413 | Date: 02/20/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

See attached.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

See attached.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# **ESHB 2153**

## **DETECTING CATALYTIC CONVERTER THEFT**

### **101 – Caseload Forecast Council**

### **February 14, 2024**

#### **SUMMARY**

##### **A brief description of what the measure does that has fiscal impact.**

- Section 1 States legislative intent of the bill.
- Section 2 Adds a new section to chapter 19.290 RCW stating nothing in the chapter shall be construed to authorize licensed scrap metal businesses to purchase or sell junk vehicles or major component parts.
- Section 3 Amends RCW 19.290.010 by removing the definition for “Private Metal Property” and where it was used as a term within other definitions.
- Section 17 Amends RCW 46.80.010 by including catalytic converters to the definition of “Major Component Parts.”
- Section 18 Amends RCW 46.80.080 by expanding the gross misdemeanor offense of failing to comply with requirements of RCW 46.80.080 by including requirements associated with record keeping involving purchase of catalytic converters.
- Section 23 Adds a new section to chapter 9A.82 RCW, (Subsection 3(a)) establishing a new gross misdemeanor for anyone who intentionally removes, alters, or obliterates from a detached catalytic converter the last eight digits, as required under subsection (1) of this section.
- Section 23 Adds a new section to chapter 9A.82 RCW, (Subsection 3(b)) establishing a new Class C felony for anyone who intentionally removes, alters, or obliterates from a detached catalytic converter the last eight digits, as required under subsection (1) of this section and has previously been convicted under this subsection.
- Section 23 Additionally establishes a new gross misdemeanor (Subsection 4) for anyone who isn’t a licensed scrape processor or licensed vehicle wrecker to knowingly possess, sell, or offer for sale six or fewer detached catalytic converters that do not comply with the marking requirements required under subsection (1) of this section.
- Section 23 Additionally establishes a new Class C felony (Subsection 5) for anyone who isn’t a licensed scrape processor or licensed vehicle wrecker to knowingly possess, sell, or offer for sale seven or more detached catalytic converters that do not comply with the marking requirements required under subsection (1) of this section (ranked at Seriousness Level II on the Adult Felony Sentencing Grid in Section 27 of the bill).
- Section 24 Adds a new section to chapter 9A.82 RCW, establishing the new Class C felony offense of Trafficking in Catalytic Converters in the First Degree (ranked at Seriousness Level IV on the Adult Felony Sentencing Grid in Section 27 of the bill).
- Section 25 Adds a new section to chapter 9.94A RCW that requires the court to make a finding of fact of the special allegation, or if a jury trial, the jury shall make a finding if the defendant has been convicted of Trafficking in Catalytic Converts in the First Degree

and there has been a special allegation pleaded and proven that the defendant knowingly:

- Trafficked seven or more catalytic converters that were illegally removed from a motor vehicle; or
- Purchased a catalytic converter that has been illegally removed

Section 26 Adds a new section to chapter 9A.82 RCW, establishing a new Class C felony offense of Trafficking in Catalytic Converters in the Second Degree (ranked at Seriousness Level III on the Adult Felony Sentencing Grid in Section 27 of the bill).

Section 27 Amends RCW 9A.82.010 by including the offenses of Trafficking in Catalytic Converters to the definition of “Criminal Profiteering”.

Section 28 Amends RCW 9.94A.533 by establishing a 12-month enhancement, at the discretion of the court, for any offense that is also a violation of Section 25.

Section 29 Amends RCW 9.94A.515 by ranking the following felony offenses:

- Trafficking in Catalytic Converters in the First Degree, at SL 4
- Trafficking in Catalytic Converters in the Second Degree at SL 3; and
- Possession, Sale, or Offering for Sale of Seven or More Unmarked Catalytic Converters at SL 2.

Section 30 States act takes effect April 1, 2025.

## **EXPENDITURES**

### **Assumptions.**

None.

### **Impact on the Caseload Forecast Council.**

The provisions of this bill will require modifications to the Caseload Forecast Council’s adult felony sentencing database. This will require work from a contractor of an estimated 10 hours at a rate of \$125 per hour for a total cost to the Caseload Forecast Council of \$1,250.

### **Impact Summary**

This bill:

- Expands the definition of an existing gross misdemeanor offense;
- Establishes a new 12-month enhancement;
- Establishes two new gross misdemeanor offense; and
- Establishes and ranks three Class C felony offenses.

### **Impact on prison and jail beds**

This bill establishes and ranks the Class C felony offenses of Trafficking in Catalytic Converters in the First Degree and Second Degree; and Possession, Sale, or Offering for Sale of Seven or More Unmarked Catalytic Converters. The Caseload Forecast Council (CFC) has no information concerning how many incidents of the newly established felony offenses may occur or the sentences that might actually be imposed for the new offenses. As such, the CFC cannot reliably predict bed impacts resulting from the bill.

However, as a Class C felony ranked at Seriousness Level 4 on the Adult Felony Sentencing Grid, Trafficking in Catalytic Converters in the First Degree would be punishable by a standard range term of confinement of between 3-9 months in jail and 60 months in prison (limited to 60 months by the statutory maximum sentence for Class C felony), depending on the individual's criminal history. The Class C felony offense of Trafficking in Catalytic Converters in the Second Degree ranked at Seriousness Level 3 on the Adult Felony Sentencing Grid would be punishable by a standard range term of confinement of between 1-3 months in jail and 51-60 months in prison (limited to 60 months by the statutory maximum sentence for Class C felony), depending on the individual's prior history. The Class C felony offense of Possession, Sale, or Offering for Sale of Seven or More Unmarked Catalytic Converters ranked at Seriousness Level 2 on the Adult Felony Sentencing Grid would be punishable by a standard range term of confinement of between 0-90 days in jail and 43-57 months in prison, depending on the individual's prior history. As such, any impact should manifest itself as an increased need for jail beds and prison beds.

The establishment of the 12-month enhancement would result in an additional need of prison beds.

The bill additionally establishes two new gross misdemeanor offenses and expands the definition of an existing gross misdemeanor offense. The Caseload Forecast Council has no information concerning how many incidents of the newly established or expanded gross misdemeanor offenses may occur, nor any information concerning how such offenses would be sentenced. As such, the Caseload Forecast Council cannot reliably estimate bed impacts resulting from these provisions of the bill. However, as gross misdemeanor offenses, the offenses would be punishable by a term of confinement of 0-364 days in jail for individuals sentenced as adults. Therefore, any impact would be on jail beds only.

### **Impact on Juvenile Rehabilitation and local beds**

The newly established Class C felony offenses of "Trafficking in Catalytic Converters in the First Degree and Second Degree" and "Possession, Sale, or Offering for Sale Seven or More Unmarked Catalytic Converters", are considered as Category C offenses on the Juvenile Sentencing Grid. The offenses would be punishable by a standard range term of between Local Sanctions (0-30 days in local juvenile detention) and 15-36 weeks in Juvenile Rehabilitation (depending on the number of prior adjudications) for juveniles adjudicated of these offenses. Therefore, incidences of these offenses would likely impact both local juvenile detention and Juvenile Rehabilitation beds.

The establishment of the 12-month enhancement does not impact juvenile sentences.

There may also be an additional increased need for Juvenile Rehabilitation (JR) beds. Current statutes require individuals sentenced in adult court for a felony offense committed before the age of 18 to serve to their confinement at a JR facility until age 25, or until release if occurring prior to age 25. As less than 1% of all sentences in the adult system are committed by those less than age 18, it assumed any impacts to JR would be minimal.

The establishment of two new gross misdemeanor offenses and expansion of an existing gross misdemeanor offense, considered Category D offenses on the Juvenile Sentencing Grid, are punishable by Local Sanctions (0-30 days in local juvenile detention) for juveniles adjudicated for the offenses. Therefore, any incidence of this offense would likely impact only local juvenile detention beds.



# Department of Revenue Fiscal Note

|                                 |   |  |
|---------------------------------|---|--|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 140-Department of Revenue |
|---------------------------------|---|--|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

|                      | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------|---------|---------|---------|---------|---------|
| <b>Account</b>       |         |         |         |         |         |
| GF-STATE-State 001-1 |         | 9,000   | 9,000   |         |         |
| <b>Total \$</b>      |         | 9,000   | 9,000   |         |         |

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                   |                       |                  |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore  | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Erika Ferrara | Phone: (360)534-1517  | Date: 02/15/2024 |
| Agency Approval: Valerie Torres   | Phone: (360)534-1521  | Date: 02/15/2024 |
| OFM Review: Amy Hatfield          | Phone: (360) 280-7584 | Date: 02/15/2024 |

Request # 2153-2-1

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Note: This fiscal note reflects language in ESHB 2153, 2024 Legislative Session.

This fiscal note only addresses sections 16, 20, and 30 of the bill, which impact the Department of Revenue (department).

#### COMPARISON OF ENGROSSED SUBSTITUTE BILL WITH ORIGINAL BILL:

The changes in the engrossed substitute bill do not impact the department.

#### CURRENT LAW:

A catalytic converter inspection fee does not exist for motor vehicle scrap processors or a wrecker license.

#### PROPOSAL:

This bill adds a \$500 catalytic converter inspection fee for motor vehicle scrap processors and a \$500 catalytic converter inspection fee for wrecker license. The State Patrol Highway Account receives both fees. The bill also adds new requirements for the sale of catalytic converters removed from vehicles and for any person removing a catalytic converter for a purpose other than maintenance, repair, or demolition or for a person knowingly possessing an unmarked detached catalytic converter.

#### EFFECTIVE DATE:

The sections impacting the department take effect April 1, 2025.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

This legislation results in no revenue impact on business license fees administered by the department.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

#### ASSUMPTIONS:

This bill requires no additional endorsements. Businesses already renewing an endorsement will pay the added fee(s). The department will transfer the fees to the State Patrol Highway Account.

#### FIRST YEAR COST:

The department will not incur any costs in fiscal year 2024.

#### SECOND YEAR COST:

The department will incur total costs of \$9,000 in fiscal year 2025. These costs include:

- Object Costs - \$9,000.
- Contract computer system programming.

#### ONGOING COSTS:

Request # 2153-2-1

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Bill # 2153 E S HB

There are no ongoing costs.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

|                                  | FY 2024 | FY 2025        | 2023-25        | 2025-27 | 2027-29 |
|----------------------------------|---------|----------------|----------------|---------|---------|
| FTE Staff Years                  |         |                |                |         |         |
| C-Professional Service Contracts |         | 9,000          | 9,000          |         |         |
| <b>Total \$</b>                  |         | <b>\$9,000</b> | <b>\$9,000</b> |         |         |

**III. B - Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

#### III. C - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

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

NONE

### Part V: New Rule Making Required

# Individual State Agency Fiscal Note

|                                 |   |   |
|---------------------------------|---|---|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 160-Office of Insurance Commissioner |
|---------------------------------|---|---|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                  |                       |                  |
|----------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Andrew Davis | Phone: 360-725-7170   | Date: 02/14/2024 |
| Agency Approval: Joyce Brake     | Phone: 360-725-7041   | Date: 02/14/2024 |
| OFM Review: Jason Brown          | Phone: (360) 742-7277 | Date: 02/15/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 1 provides the legislative findings of increased rates of catalytic converter thefts statewide and nationwide due in part to the challenges of accurately identifying stolen catalytic converters and tracking them through the stream of commerce after they have been removed from their originating vehicles and requires all purchasers of catalytic converters to be licensed and subject to regulation and inspection.

This bill concerns the regulation of catalytic converter transactions, not the regulation of insurance. It will not change how the Office of Insurance Commissioner does business. Therefore, no fiscal impact.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                 |   |  |
|---------------------------------|---|--|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 225-Washington State Patrol |
|---------------------------------|---|--|

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|   | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|---------|---------|---------|---------|---------|
| FTE Staff Years                             | 0.0     | 0.1     | 0.1     | 0.5     | 0.5     |
| <b>Account</b>                              |         |         |         |         |         |
| State Patrol Highway Account-State<br>081-1 | 0       | 45,700  | 45,700  | 279,400 | 279,400 |
| <b>Total \$</b>                             | 0       | 45,700  | 45,700  | 279,400 | 279,400 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                  |                       |                  |
|----------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Julia Moser  | Phone: 360-596-4044   | Date: 02/16/2024 |
| Agency Approval: Mario Buono     | Phone: (360) 596-4046 | Date: 02/16/2024 |
| OFM Review: Tiffany West         | Phone: (360) 890-2653 | Date: 02/21/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This legislation has fiscal impact to the Washington State Patrol (WSP). The engrossed substitute version of this bill removes an indeterminate fiscal impact while retaining the impact from Section 21.

Sections 3 through 11 remove "private metal property" from RCW 19.290, thereby removing authorization of scrap metal businesses to purchase or sell catalytic converters.

In section 12, a vehicle dealer is required to offer the purchaser the option to mark the last eight digits of the originating vehicle's VIN on the vehicle's catalytic converter prior to sale and transfer of the vehicle. Exceptions are if such a mark already exists, the catalytic converter is not in a location where it is clearly visible, or the vehicle is sold wholesale. The dealer may charge a fee for this service. The engrossed substitute bill no longer includes language wherein the WSP may grant exceptions to these requirements due to financial hardship on the vehicle dealer.

In Sections 13 and 17, "catalytic converter" is added to the definition of "major component parts" as used in RCW 46.79 and 46.80, regulating scrap processors and hulk haulers, and vehicle wreckers.

In Section 14, only licensed scrap processors may disassemble or de-can a catalytic converter for removal or processing of the internal core to extract specified metals. There are established record-keeping requirements in doing so. Unless the scrap processor is the registered owner of the originating vehicle, the processor must wait 30 days between purchase and disassembly or de-canning of a catalytic converter.

In Sections 15, 18 and 19, payment to individual sellers of catalytic converters that have been removed from a vehicle may only be made via nontransferable check, mailed by the licensed scrap processor or vehicle wrecker at least three days after the transaction to the street address provided to the processor at the time of the transaction. The seller must also provide photographic identification to the buyer. Specific records must be kept on each transaction for three years from sale and must be made available to law enforcement during normal business hours, or at reasonable times.

In Section 16 and 20, licenses and license renewals from the Department of Licensing for scrap processors and for vehicle wreckers must include a \$500 catalytic converter inspection fee to be deposited into the State Patrol Highway Account to support WSP activities under section 21.

In Section 21, subject to funding, the WSP is required to conduct periodic inspections at least once a year of all licensed purchasers of catalytic converters that have been removed from vehicles that are licensed under RCW 46.79 and 46.80. The WSP is also required to develop a standardized inspection form and train local law enforcement agencies, civilian employees, and limited authority law enforcement personnel on inspection procedures. The WSP is required to specify which specific law enforcement agencies have a duty to inspect the different business types that are licensed to purchase catalytic converters, and to authorize inspections to be conducted by civilian employees or limited authority law enforcement agencies if necessary to increase the availability of potential inspectors, provided that the WSP has oversight of such inspections.

Section 22 was removed in the engrossed substitute bill. This was related to the hardship exemptions in Section 12 that were also removed from the bill in this version.

A new section 22 is added in this version of the bill which amends RCW 46.12.560 to clarify that the WSP is not required to inspect attached catalytic converters as major component parts.

In Section 23, under RCW 9A.82, a person who removes a catalytic converter from a vehicle for a purpose other than



maintenance, repair or demolition, or who knowingly possesses an unmarked detached catalytic converter, must permanently mark the catalytic converter with the last eight digits of the originating vehicle's VIN within 24 hours after removal and before off-site transport of the detached catalytic converter. Unmarked catalytic converters are subject to immediate seizure and forfeiture by law enforcement. Intentionally removing or altering the eight-digit marking on a catalytic converter is a gross misdemeanor, and this becomes as class C felony for subsequent offenses. It is a gross misdemeanor for any person who is not a scrap processor licensed under chapter 46.79 or vehicle wrecker licensed under chapter 46.80 to knowingly possess, sell, or offer for sale six or fewer detached catalytic converters that do not comply with the marking requirements. If it is seven or more units, it is a class C felony.

In Section 24, a person is guilty of trafficking in catalytic converters in the first degree if the person knowingly traffics seven or more catalytic converters that have been removed from a motor vehicle without fulfilling the requirements under chapters 46.79 or 46.80 for lawful transfer, or purchases a catalytic converter that has been removed from a motor vehicle without possessing a valid scrap processor license under chapter 46.79 or vehicle wrecker license under chapter 46.80. This is a class C felony.

Section 25 and 28 establish a 12-month sentencing enhancement for catalytic converter crimes.

In Section 26, a person is guilty of trafficking in catalytic converters in the second degree if the person knowingly traffics six or fewer catalytic converters that have been removed from a motor vehicle without fulfilling the requirements under chapters 46.79 or 46.80 for lawful transfer. This is a class C felony.

In Section 27, "criminal profiteering" is expanded to include any conduct that would be chargeable as first or second degree trafficking in catalytic converters.

Per Section 30, the provisions in this bill take effect April 1st, 2025.

## **II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

There are no cash receipts to the WSP from this legislation.

## **II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 21 will have an impact to us. Our current workload covers many of the requirements aside from the requirement that we retain oversight of inspections required in this section. We would need the equivalent of 0.5 FTE of a sergeant position to cover that workload beginning in the second half of FY 2025.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase. We compute estimated support expenditures such as supplies & materials, communications, computer costs (hardware and software), vehicle and vehicle operating costs, among others, using average costs to support agency FTEs. We adjust the estimated support costs to reflect the needs of individual divisions or positions within the agency.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 33.41 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications

support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

| Account         | Account Title                | Type  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|------------------------------|-------|---------|---------|---------|---------|---------|
| 081-1           | State Patrol Highway Account | State | 0       | 45,700  | 45,700  | 279,400 | 279,400 |
| <b>Total \$</b> |                              |       | 0       | 45,700  | 45,700  | 279,400 | 279,400 |

**III. B - Expenditures by Object Or Purpose**

|                                      | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years                      |         | 0.1     | 0.1     | 0.5     | 0.5     |
| A-Salaries and Wages                 |         | 17,300  | 17,300  | 138,400 | 138,400 |
| B-Employee Benefits                  |         | 5,500   | 5,500   | 44,200  | 44,200  |
| C-Professional Service Contracts     |         |         |         |         |         |
| E-Goods and Other Services           |         | 2,500   | 2,500   | 12,200  | 12,200  |
| G-Travel                             |         | 200     | 200     | 1,200   | 1,200   |
| J-Capital Outlays                    |         | 11,600  | 11,600  | 17,600  | 17,600  |
| M-Inter Agency/Fund Transfers        |         |         |         |         |         |
| N-Grants, Benefits & Client Services |         |         |         |         |         |
| P-Debt Service                       |         |         |         |         |         |
| S-Interagency Reimbursements         |         |         |         |         |         |
| T-Intra-Agency Reimbursements        |         |         |         |         |         |
| 9-Indirect Costs                     |         | 8,600   | 8,600   | 65,800  | 65,800  |
| <b>Total \$</b>                      | 0       | 45,700  | 45,700  | 279,400 | 279,400 |

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------|---------|---------|---------|---------|---------|---------|
| Sergeant           | 138,429 |         | 0.1     | 0.1     | 0.5     | 0.5     |
| <b>Total FTEs</b>  |         |         | 0.1     | 0.1     | 0.5     | 0.5     |

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                 |   |   |
|---------------------------------|---|---|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 227-Criminal Justice Training Commission |
|---------------------------------|---|---|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                   |                       |                  |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore  | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Brian Elliott | Phone: 206-835-7337   | Date: 02/14/2024 |
| Agency Approval: Brian Elliott    | Phone: 206-835-7337   | Date: 02/14/2024 |
| OFM Review: Danya Clevenger       | Phone: (360) 688-6413 | Date: 02/14/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill has no fiscal impact to the Criminal Justice Training Commission.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

This bill has no cash receipt impact.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

This bill has no expenditure impact.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                 |   |  |
|---------------------------------|---|--|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 240-Department of Licensing |
|---------------------------------|---|--|

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

| ACCOUNT                                     | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|---------|---------|---------|---------|---------|
| State Patrol Highway Account-State<br>081-1 |         | 24,000  | 24,000  | 222,000 | 222,000 |
| <b>Total \$</b>                             |         | 24,000  | 24,000  | 222,000 | 222,000 |

### Estimated Operating Expenditures from:

|  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--|---------|---------|---------|---------|---------|
| FTE Staff Years                          | 0.0     | 3.3     | 1.7     | 2.1     | 2.1     |
| <b>Account</b>                           |         |         |         |         |         |
| Motor Vehicle Account-State<br>108<br>-1 | 0       | 105,000 | 105,000 | 604,000 | 604,000 |
| <b>Total \$</b>                          | 0       | 105,000 | 105,000 | 604,000 | 604,000 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                      |                       |                  |
|--------------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore     | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Ellie Gochenouer | Phone: 360-901-0114   | Date: 02/16/2024 |
| Agency Approval: Collin Ashley       | Phone: (564) 669-9190 | Date: 02/16/2024 |
| OFM Review: Kyle Siefering           | Phone: (360) 995-3825 | Date: 02/16/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Allows purchasers the option of having dealers to mark catalytic converters with partial VIN number. Further defines what licensed businesses are allowed to purchase or sell. The bill no longer defines “private metal property”, as catalytic converters. Delays payment for transactions and implements record keeping requirements for buyers. Adds provisions to WA criminal code.

Section 12 requires dealers to offer to clearly and permanently mark the last eight digits of the originating vehicle's VIN on the vehicle's catalytic converter, DOL will need to investigate any complaints from customers.

### II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

This bill would increase revenue collected by the Department of Licensing. Section 20 of this bill would add a \$500 catalytic converter inspection fee to wrecker licenses fees collected by DOL. Section 16 of this bill would add a \$500 catalytic converter fee to scrap processor licenses collected by DOL. This bill would increase DOL revenue collections by \$24,000 in FY 25 and \$110,500 in FY 26 the first full year of collections.

### II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Please see attached fiscal note.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

| Account         | Account Title         | Type  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|-----------------------|-------|---------|---------|---------|---------|---------|
| 108-1           | Motor Vehicle Account | State | 0       | 105,000 | 105,000 | 604,000 | 604,000 |
| <b>Total \$</b> |                       |       | 0       | 105,000 | 105,000 | 604,000 | 604,000 |

### III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years                      |         | 3.3     | 1.7     | 2.1     | 2.1     |
| A-Salaries and Wages                 |         | 46,000  | 46,000  | 318,000 | 318,000 |
| B-Employee Benefits                  |         | 16,000  | 16,000  | 112,000 | 112,000 |
| C-Professional Service Contracts     |         |         |         |         |         |
| E-Goods and Other Services           |         | 43,000  | 43,000  | 174,000 | 174,000 |
| G-Travel                             |         |         |         |         |         |
| J-Capital Outlays                    |         |         |         |         |         |
| M-Inter Agency/Fund Transfers        |         |         |         |         |         |
| N-Grants, Benefits & Client Services |         |         |         |         |         |
| P-Debt Service                       |         |         |         |         |         |
| S-Interagency Reimbursements         |         |         |         |         |         |
| T-Intra-Agency Reimbursements        |         |         |         |         |         |
| 9-                                   |         |         |         |         |         |
| <b>Total \$</b>                      | 0       | 105,000 | 105,000 | 604,000 | 604,000 |



**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification                      | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|--------|---------|---------|---------|---------|---------|
| Investigator 3                          | 80,112 |         | 3.0     | 1.5     | 1.1     | 1.1     |
| PROFESSIONAL LICENSING REPRESENTATIVE 2 | 67,380 |         | 0.3     | 0.2     | 1.0     | 1.0     |
| <b>Total FTEs</b>                       |        |         | 3.3     | 1.7     | 2.1     | 2.1     |

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: ESHB 2153

Bill Title: Catalytic Converter Theft

## Part 1: Estimates

No Fiscal Impact

### Estimated Cash Receipts:

| Revenue                      | Fund | FY 24 | FY 25         | 23-25 Total   | 25-27 Total    | 27-29 Total    |
|------------------------------|------|-------|---------------|---------------|----------------|----------------|
| State Patrol Highway Account | 081  | -     | 24,000        | 24,000        | 222,000        | 222,000        |
| <b>Account Totals</b>        |      | -     | <b>24,000</b> | <b>24,000</b> | <b>222,000</b> | <b>222,000</b> |

### Estimated Expenditures:

|                               |             | FY 24        | FY 25          | 23-25 Total        | 25-27 Total        | 27-29 Total        |
|-------------------------------|-------------|--------------|----------------|--------------------|--------------------|--------------------|
| FTE Staff Years               |             | -            | 0.6            | 0.4                | 2.1                | 2.1                |
| <b>Operating Expenditures</b> | <b>Fund</b> | <b>FY 24</b> | <b>FY 25</b>   | <b>23-25 Total</b> | <b>25-27 Total</b> | <b>27-29 Total</b> |
| Motor Vehicle                 | 108         | -            | 105,000        | 105,000            | 604,000            | 604,000            |
| <b>Account Totals</b>         |             | -            | <b>105,000</b> | <b>105,000</b>     | <b>604,000</b>     | <b>604,000</b>     |

*The revenue and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions.

- If the fiscal impact is **less than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- If fiscal impact is **greater than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

|                                      |                       |                  |
|--------------------------------------|-----------------------|------------------|
| Legislative Contact: Linda Hamilton  | Phone: (360) 515-8620 | Date: 02/14/2024 |
| Agency Preparation: Ellie Gochenouer | Phone: (360) 634-5082 | Date: 02/15/2024 |
| Agency Approval: Collin Ashley       | Phone: (360) 634-5384 | Date: 02/15/2024 |

|           |      |
|-----------|------|
| Request # | 1    |
| Bill #    | 2153 |

## Part 2 – Explanation

CHANGES FROM SHB 2153 to ESHB 2153

The engrossed substitute makes no substantive changes to the bill which impact Department of Licensing (DOL).

### **2.A – Brief Description Of What The Measure Does That Has Fiscal Impact**

Allows purchasers the option of having dealers to mark catalytic converters with partial VIN number. Further defines what licensed businesses are allowed to purchase or sell. The bill no longer defines “private metal property”, as catalytic converters. Delays payment for transactions and implements record keeping requirements for buyers. Adds provisions to WA criminal code.

Section 12 requires dealers to offer to clearly and permanently mark the last eight digits of the originating vehicle's VIN on the vehicle's catalytic converter, DOL will need to investigate any complaints from customers.

### **2.B - Cash receipts Impact**

This bill would increase revenue collected by the Department of Licensing. Section 20 adds a \$500 catalytic converter inspection fee to wrecker license fees collected by DOL. Section 16 of this bill would add a \$500 catalytic converter fee to scrap processor licenses collected by DOL. This bill would increase DOL revenue collections by \$24,000 in FY 25 and \$110,500 in FY 26 the first full year of collections.

| Revenue                      | Fund | FY 24 | FY 25         | 23-25 Total   | 25-27 Total    | 27-29 Total    |
|------------------------------|------|-------|---------------|---------------|----------------|----------------|
| State Patrol Highway Account | 081  | -     | 24,000        | 24,000        | 222,000        | 222,000        |
| <b>Account Totals</b>        |      | -     | <b>24,000</b> | <b>24,000</b> | <b>222,000</b> | <b>222,000</b> |

### **2.C – Expenditures**

This bill may capture the interest of vehicle owners who may question the action of the dealer and:

- Seek verification of the dealer clearly marked the catalytic converter,
- File a complaint they were not given the option to have the dealer mark the catalytic converter,
- File a complaint if their vehicle was stolen and records were not adequate.

DOL estimates 619,976 vehicle sales in 2023. Of the total vehicle sales, DOL estimates complaints of .1%, 620. Of the total complaints, DOL assumes 70% investigations required, 434. Of the total investigations, DOL assumes 10% of investigations are moved to compliance, 43.

Starting April 1, 2025 the following FTE will be needed ongoing:

(0.3) FTE Professional Licensing Representative 2 to process intake complaints, evaluate for relevancy, provide consumer guidance and direction to the Attorney General’s Office (AGO) consumer complaints division.

(1.0) FTE Investigator 3 to conduct investigations associated with complaints filed tied to consumer complaints and/or business entities.

(0.8) FTE Professional Licensing Representative 2 to regulate compliance, facilitate due process, monitoring of sanctions and direction to the AGO consumer complaints division.

**Information Services:**

The agency will use appropriated funds to hire contract programmers to accomplish this work or to support current staff implementing this legislation within the required timeline. Appropriated funds may also be used to hire agency temporary staff to support permanent staff assigned to this legislative effort.

Any change requires a process to ensure changes are correctly applied to the system. This involves Project Managers that manage the team that completes the update, business analyst that documents and reviews the system changes, architect services that analyzes how the update could have an effect on other systems or DOL processes, developers who create the change, and testers and quality assurance teams that ensure the update is working correctly.

| Cost Category                      | Description  | Rate      | 2024 | 2025          | 2026 | 2027 | 2028 | 2029 | Total Cost    |
|------------------------------------|--|-----------|------|---------------|------|------|------|------|---------------|
| TESTER                             | Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.  | \$ 27,144 | -    | 2,700         | -    | -    | -    | -    | 2,700         |
| BUSINESS ANALYST                   | Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.   | \$ 19,836 | -    | 2,000         | -    | -    | -    | -    | 2,000         |
| PROJECT MANAGER                    | Manage schedule and contracts  | \$ 34,452 | -    | 3,400         | -    | -    | -    | -    | 3,400         |
| SECURITY AND ARCHITECT SERVICES    | Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design. | \$ 19,836 | -    | 2,000         | -    | -    | -    | -    | 2,000         |
| CONTRACTED FAST DEVELOPER / TESTER | Updates to the DRIVES system will require additional vendor hours outside of the contracted maintenance to make system updates to implement this bill.   | \$ 37,236 | -    | 3,700         | -    | -    | -    | -    | 3,700         |
| Trainer                            | Trains business partners and employees in new system processes and capabilities.   | \$ 27,144 | -    | 2,700         | -    | -    | -    | -    | 2,700         |
| Project Contingency                | Office of the Chief Information Officer designated rate of 10%   | \$ 29,824 | -    | 1,700         | -    | -    | -    | -    | 1,700         |
| <b>Totals</b>                      |  |           | -    | <b>18,200</b> | -    | -    | -    | -    | <b>18,200</b> |

**What IS Will Implement:**

1. Add twelve total new violations to the Compliance Case Violations Table for Scrap Metal, Hulk Haulers, Wreckers, and Dealers licenses.

**Support Services:**

Agency Administrative Overhead is included at a rate of 23.4 percent of the direct program costs. This funding received covers agency-wide functions such as vendor payments, contract administration, financial management, mail processing, equipment management, help desk support, and technical assistance to DOL employees. These indirect costs are shown under object E.

**Part 3 – Expenditure Detail**

Expenditure account differs from the revenue account because the revenue can only be used by Washington State Patrol (WSP) under current RCW.

**3.A – Operating Budget Expenditures**

| Operating Expenditures | Fund | FY 24    | FY 25          | 23-25 Total    | 25-27 Total    | 27-29 Total    |
|------------------------|------|----------|----------------|----------------|----------------|----------------|
| Motor Vehicle          | 108  | -        | 105,000        | 105,000        | 604,000        | 604,000        |
| <b>Account Totals</b>  |      | <b>-</b> | <b>105,000</b> | <b>105,000</b> | <b>604,000</b> | <b>604,000</b> |

**3.B – Expenditures by Object or Purpose**

| Object of Expenditure       | FY 24    | FY 25          | 23-25 Total    | 25-27 Total    | 27-29 Total    |
|-----------------------------|----------|----------------|----------------|----------------|----------------|
| FTE Staff Years             | 0.0      | 0.6            | 0.4            | 2.1            | 2.1            |
| Salaries and Wages          | -        | 46,000         | 46,000         | 318,000        | 318,000        |
| Employee Benefits           | -        | 16,000         | 16,000         | 112,000        | 112,000        |
| Goods and Services          | -        | 43,000         | 43,000         | 174,000        | 174,000        |
| <b>Total By Object Type</b> | <b>-</b> | <b>105,000</b> | <b>105,000</b> | <b>604,000</b> | <b>604,000</b> |

**3.C – FTE Detail**

| Staffing                                | Salary | FY 24      | FY 25      | 23-25 Total | 25-27 Total | 27-29 Total |
|---|--------|------------|------------|-------------|-------------|-------------|
| PROFESSIONAL LICENSING REPRESENTATIVE 2 | 67,380 | 0.0        | 0.3        | 0.2         | 1.1         | 1.1         |
| Investigator 3                          | 80,112 | 0.0        | 0.3        | 0.2         | 1.0         | 1.0         |
| <b>Total FTE</b>                        |        | <b>0.0</b> | <b>0.6</b> | <b>0.4</b>  | <b>2.1</b>  | <b>2.1</b>  |

**Part 4 – Capital Budget Impact**

None.

**Part 5 – New Rule Making Required**

None.

# Individual State Agency Fiscal Note

|                                 |   |  |
|---------------------------------|---|--|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 307-Department of Children, Youth, and Families |
|---------------------------------|---|--|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

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

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                  |                       |                  |
|----------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Wendy Polzin | Phone: 2066702667     | Date: 02/16/2024 |
| Agency Approval: Crystal Lester  | Phone: 360-628-3960   | Date: 02/16/2024 |
| OFM Review: Danya Clevenger      | Phone: (360) 688-6413 | Date: 02/20/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Comparison of SHB 2153 and HB 2153

A new section is added to 46.70 RCW with new requirements for certifications and paperwork prior to accepting an application for a certificate of title. Amends RCW 46.12.216 to state that nothing in the section creates a requirement for the Washington State Patrol to inspect attached catalytic converters as major component parts.

SHB 2153

Added a new section to 46.70 requiring dealers to offer a purchaser to option to have the dealer mark the last eight digits of a vehicle identification number on the catalytic converter. It also specifies ease of access to the mark and that the dealer may charge a fee. If the purchaser does not choose this option, the dealers must obtain the purchasers signature stating they knowingly purchases the vehicle without marking the catalytic converter. The Washington State patrol may grant an exception to dealers if it is determined that meeting the requirement would impose an unreasonable financial hardship.

The substitute adds a new section in 9A.82 RCW that excepts as provided in (b) of this subsection it is a gross misdemeanor for any person to intentionally remove, alter, or obliterate from a detached catalyst converter the last eight digits of the originating vehicle identification number. This section also adjusts the number of catalytic converters that may be sold or that do not comply with marking requirements.

The substitute adds a new section in 9.94A RCW directs the counts shall make a finding of fact of the special allegations related to catalytic converter theft.

The substitute changes the requirement for guilty of trafficking in catalytic converters in the second degree if the person knowingly traffics 6 or fewer.

Amends RCW 9.94A.533 to add an additional 12 months to the standard sentence range for an offense that is also a violation of section 25 of the act.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Indeterminate

Due to the expansion and creation of new offenses, Juvenile Rehabilitation (JR) may see an increase in JR commitments and associated staffing. DCYF does not have data regarding how many individuals will be impacted, therefore, the caseload forecast and per capita adjustments are unknown at this time. DCYF assumes the impact will result when the ADP caseload changes in the JR residential facilities forecast. The impact would be reflected in the forecasted maintenance level budget step. DCYF will true up our fiscal impact in subsequent budget submittals if the legislation is enacted into law.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

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

#### III. B - Expenditures by Object Or Purpose

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

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

### Part V: New Rule Making Required

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# Individual State Agency Fiscal Note

|                                 |   |  |
|---------------------------------|---|--|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 310-Department of Corrections |
|---------------------------------|---|--|

## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|                          | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------|---------|---------|---------|---------|---------|
| <b>Account</b>           |         |         |         |         |         |
| General Fund-State 001-1 | 0       | 7,000   | 7,000   | 0       | 0       |
| <b>Total \$</b>          | 0       | 7,000   | 7,000   | 0       | 0       |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                    |                       |                  |
|------------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore   | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Ellen Hafer    | Phone: (360) 725-8428 | Date: 02/16/2024 |
| Agency Approval: Michael Steenhout | Phone: (360) 789-0480 | Date: 02/16/2024 |
| OFM Review: Danya Clevenger        | Phone: (360) 688-6413 | Date: 02/20/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The Engrossed Substitute House Bill (ESHB) 2153 is the updated bill version that does not change the previous assumptions for the Department of Corrections (DOC).

The following impacts from the previous version of this bill remain unchanged:

- Section 18 amends RCW 46.80.080 to expand the gross misdemeanor offense of failing to comply with requirements of RCW 46.80.080 by including requirements associated with record keeping involving the purchase of catalytic converters.
- Section 23 adds a new section to RCW 9A.82. Section 23(3)(a) establishes a new gross misdemeanor for any person to intentionally remove, alter, or obliterate the last eight digits of the originating vehicle identification number from a detached catalytic converter.
- Section 23(3)(b) establishes a Class C felony if the person has previously been convicted under this subsection.
- Section 23(4) establishes a new gross misdemeanor for any person who is not a licensed scrap processor or licensed vehicle wrecker to knowingly possess, sell, or offer for sale six or fewer detached catalytic converters that do not comply with marking requirements required under subsection 1 of this section.
- Section 23(5) establishes a new Class C felony for any person who is not a licensed scrap processor or licensed vehicle wrecker to knowingly possess, sell, or offer for sale seven or more detached catalytic converters that do not comply with marking requirements required under subsection 1 of this section, ranked at Seriousness Level II on the Adult Felony Sentencing Grid in Section 29 of the bill.
- Section 24 adds a new section to RCW 9A.82, establishing a new Class C felony offense of Trafficking in Catalytic Converters in the First Degree, ranked at Seriousness Level IV on the Adult Felony Sentencing Grid in Section 29 of the bill.
- Section 25 adds a new section to RCW 9.94A that requires the court to make a finding of fact of the special allegation, or if a jury trial, the jury shall make a finding if the defendant has been convicted of Trafficking in Catalytic Converters in the First Degree and there has been a special allegation pleaded and proven that the defendant knowingly: trafficked seven or more catalytic converters that were illegally removed from a motor vehicle or purchased a catalytic converter that has been illegally removed.
- Section 26 adds a new section to RCW 9A.82, establishing a new Class C felony offense of Trafficking in Catalytic Converters in the Second Degree, ranked at Seriousness Level III on the Adult Felony Sentencing Grid in Section 29 of the bill.
- Section 27 amends RCW 9A.82.010 by adding the offenses of Trafficking in Catalytic Converters to the definition of “Criminal Profiteering.”
- Section 28 amends RCW 9.94A.533 by establishing a 12-month enhancement for any offense that is also a violation of Section 25.
- Section 29 amends RCW 9.94A.515 by ranking the felony offenses of Trafficking in Catalytic Converters in the First and Second Degree, and the felony offense of Possession, Sale, or Offering for Sale Seven or More Unmarked Catalytic Converters.
- Section 30 states that this act takes effect April 1, 2025.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The updated bill language from ESHB 2153 does not change the previous fiscal impact assumptions to DOC.

The fiscal impact of this bill to DOC is indeterminate, assumed to be less than \$50,000 per Fiscal Year (FY).

This bill:

- Expands the definition of an existing gross misdemeanor offense;
- Establishes a new finding;
- Establishes a new 12-month enhancement;
- Establishes a new misdemeanor offense; and
- Establishes and ranks three new Class C felony offenses.

Impact on Prison and Jail Beds:

This bill establishes and ranks the Class C felony offenses of Trafficking in Catalytic Converters in the First Degree and Second Degree and Possession, Sale, or Offering for Sale of Seven or More Unmarked Catalytic Converters. The Caseload Forecast Council (CFC) has no information concerning how many incidents of newly established felony offenses may occur or the sentences that might actually be imposed for the new offenses. As such, the CFC cannot reliably predict bed impacts resulting from the bill.

However, as a Class C felony ranked at Seriousness Level IV on the Adult Felony Sentencing Grid, Trafficking in Catalytic Converters in the First Degree would be punishable by a standard range term of confinement of between 3-9 months in jail and 60 months in prison (limited to 60 months by the statutory maximum sentence for Class C felony), depending on the individual's criminal history. The Class C felony offense of Trafficking in Catalytic Converters in the Second Degree ranked at Seriousness Level III on the Adult Felony Sentencing Grid would be punishable by a standard range term of confinement of between 1-3 months in jail and 51-60 months in prison (limited to 60 months by the statutory maximum sentence for Class C felony), depending on the individual's prior history. The Class C felony offense of Possession, Sale, or Offering for Sale Seven or More Unmarked Catalytic Converters ranked at Seriousness Level II on the Adult Felony Sentencing Grid would be punishable by a standard range term of confinement of between 0-90 days in jail and 43-57 months in prison, depending on the individual's prior history. As such, any impact should manifest itself as an increased need for jail beds and prison beds.

The establishment of the 12-month enhancement would result in an additional need of prison beds.

The bill additionally establishes a new gross misdemeanor offense and expands the definition of an existing gross misdemeanor offense. The CFC has no information concerning how many incidents of the newly established or expanded gross misdemeanor offenses may occur, nor any information concerning how such offenses would be sentenced. As such, the CFC cannot reliably estimate bed impacts resulting from these provisions of the bill. However, as gross misdemeanor offenses, the offenses would be punishable by a term of confinement of 0-364 days in jail for individuals sentenced as adults. Therefore, any impact would be on jail beds only.

Information Technology Impacts:

Customization of the Offender Management Network Information (OMNI) system is needed to meet the requirements of this legislation. Due to the complexity of completing the development, testing, and implementation of the statutory changes, contracted services are necessary in FY 2025.

To implement this legislation, OMNI data tables need to be updated per RCW 9A.82 for technical corrections.

Cost Calculation Estimate:

IT Application Developer | \$185 per hour x 20 hours = \$3,700

IT Quality Assurance | \$185 per hour x 8 hours = \$1,480  
 IT Business Analyst | \$185 per hour x 8 hours = \$1,480  
 Total One-Time Costs in FY 2024: \$7,000 (rounded to the nearest thousand)

**Assumptions:**

- 1) The estimated ADP impact to DOC prison facilities/institutions and/or community supervision/violator caseloads is based on projections from CFC.
  
- 2) We assume a Direct Variable Cost (DVC) of \$7,630 per incarcerated individual per FY to facilitate cost discussions during legislative session for bills. This cost estimate includes prison and health services' direct variable costs. It does not include staffing or dollars necessary for staffing needed at the facility outside of the living/housing units. The DVC is calculated by DOC and reviewed and approved with the Office of Financial Management, Senate, and House staff each legislative session.
  
- 3) For illustration purposes only, the average annual Community Supervision caseload model is \$6,101 per ADP (not including startup costs), regardless of the supervised risk level based on the workload model. If ADP impacts are applicable to this fiscal note, the calculated rate per community supervision ADP includes direct supervision and ancillary units, such as Hearings, Records, and Training, that are directly affected by supervision population changes. The estimate will vary based on the risk level of the supervised individuals, which requires different staffing levels. The population trend data used is based on the Risk Level Classification tool and provides a risk level of 42.8% high violent, 27.3% high non-violent, 21% moderate, 7.9% low, and 1.0% unclassified. (June – November 2017)
  
- 4) The DOC assumes that any increase in community supervision caseload will result in an increased need for violator beds. For illustration, the FY2023 average percentage of supervised individuals who served jail time and were billed by the local jurisdictions for violating their conditions of supervision was a rate of 2.0%. The current average daily cost for jail beds is \$114.43 per day, inclusive of all risk levels and healthcare costs. The rate is an average, and actual rates vary by local correctional facilities.
  
- 5) We assume additional impacts will result when ADP caseload changes in either prison or community and resources will be necessary. The DOC will “true up” our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.
  
- 6) We assume a phase-in will be necessary to successfully achieve the reductions/additions needed based on this legislation.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

| Account         | Account Title | Type  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-----------------|---------------|-------|---------|---------|---------|---------|---------|
| 001-1           | General Fund  | State | 0       | 7,000   | 7,000   | 0       | 0       |
| <b>Total \$</b> |               |       | 0       | 7,000   | 7,000   | 0       | 0       |

**III. B - Expenditures by Object Or Purpose**

|                                      | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|--------------------------------------|---------|---------|---------|---------|---------|
| FTE Staff Years                      |         |         |         |         |         |
| A-Salaries and Wages                 |         |         |         |         |         |
| B-Employee Benefits                  |         |         |         |         |         |
| C-Professional Service Contracts     |         | 7,000   | 7,000   |         |         |
| E-Goods and Other Services           |         |         |         |         |         |
| G-Travel                             |         |         |         |         |         |
| J-Capital Outlays                    |         |         |         |         |         |
| M-Inter Agency/Fund Transfers        |         |         |         |         |         |
| N-Grants, Benefits & Client Services |         |         |         |         |         |
| P-Debt Service                       |         |         |         |         |         |
| S-Interagency Reimbursements         |         |         |         |         |         |
| T-Intra-Agency Reimbursements        |         |         |         |         |         |
| 9-                                   |         |         |         |         |         |
| <b>Total \$</b>                      | 0       | 7,000   | 7,000   | 0       | 0       |

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

| Program                                 | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|---------|---------|---------|---------|---------|
| Administration & Support Services (100) |         | 7,000   | 7,000   |         |         |
| <b>Total \$</b>                         |         | 7,000   | 7,000   |         |         |

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None.

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                 |   |  |
|---------------------------------|---|--|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft | <b>Agency:</b> 365-Washington State University |
|---------------------------------|---|--|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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 form 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.
- Requires new rule making, complete Part V.

|                                  |                       |                  |
|----------------------------------|-----------------------|------------------|
| Legislative Contact: Bryon Moore | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Preparation: Emily Green  | Phone: 5093359681     | Date: 02/19/2024 |
| Agency Approval: Chris Jones     | Phone: 509-335-9682   | Date: 02/19/2024 |
| OFM Review: Ramona Nabors        | Phone: (360) 742-8948 | Date: 02/19/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

ES HB 2153 relates to deterring catalytic converter theft and creating a mechanism to enforce penalties.

This bill would not fiscally impact Washington State University. No unit at WSU accepts scrap metal or conducts transactions involving nonferrous metal property.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

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

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

|                                 |   |
|---------------------------------|---|
| <b>Bill Number:</b> 2153 E S HB | <b>Title:</b> Catalytic converter theft |
|---------------------------------|---|

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities:** Approximately \$393,281 for law enforcement training on new, modified criminal offenses, inspection procedures; indeterminate increased law enforcement costs as a result of processing incidents of new class C felony offenses, new and expanded gross misdemeanor offenses; indeterminate expenditure increase as a result of increased demand for jail beds
- Counties:** Approximately \$134,940 to provide training to law enforcement officers on new, modified criminal offenses, inspection procedures; indeterminate expenditure impact on law enforcement, prosecutors, and public defenders as a result of processing incidents of new class C felony offenses, new, modified gross misdemeanor offenses; indeterminate expenditure increase as a result of increased demand for jail, juvenile detention beds
- Special Districts:**
- Specific jurisdictions only:**
- Variance occurs due to:**

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:** Approximately \$528,221 to provide training to local law enforcement officers on new, modified criminal offenses, inspection procedures
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:** Number of incidents of new class C felony offenses, new, modified gross misdemeanor offenses that may occur

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

| Jurisdiction          | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29        |
|-----------------------|---------|---------|---------|---------|----------------|
| City                  |         | 393,281 | 393,281 |         |                |
| County                |         | 134,940 | 134,940 |         |                |
| <b>TOTAL \$</b>       |         | 528,221 | 528,221 |         |                |
| <b>GRAND TOTAL \$</b> |         |         |         |         | <b>528,221</b> |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

## Part III: Preparation and Approval

|                                     |                       |                  |
|-------------------------------------|-----------------------|------------------|
| Fiscal Note Analyst: James Vogl     | Phone: 360-480-9429   | Date: 02/20/2024 |
| Leg. Committee Contact: Bryon Moore | Phone: (360)786-7726  | Date: 02/13/2024 |
| Agency Approval: Alice Zillah       | Phone: 360-725-5035   | Date: 02/20/2024 |
| OFM Review: Gaius Horton            | Phone: (360) 819-3112 | Date: 02/21/2024 |

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

This fiscal note analyzes the local government fiscal impact of ESHB 2153, comparing it to the impact of SHB 2153.

#### **CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The proposed engrossed substitute bill would make the 12-month sentence enhancement in section 28 for an offense that is also a violation of section 25 of the proposed legislation discretionary, while under the provisions of the substitute bill, this enhancement would have been mandatory. Additionally, the engrossed substitute would specify that the entirety of the proposed legislation would take effect on April 1, 2025, while under the provisions of the substitute bill, all sections of the bill except for section 22 would have taken effect on this date. Finally, the engrossed substitute would add language concerning inspection requirements for the Washington State Patrol and disclosure requirements for vehicle dealers, and would remove section 22 of the substitute bill.

These changes do not affect the local government expenditure or revenue impacts below.

#### **SUMMARY OF CURRENT BILL:**

Section 18 of the proposed legislation would amend RCW 46.80.080, requiring that in addition to existing requirements, the vehicle wrecker records of transactions involving catalytic converters must include certain additional information about the buyer, seller, transaction and catalytic converters exchanged. Violations of this section would be a gross misdemeanor.

Section 21 would add a new section to chapter 43.43 RCW, requiring the Washington State Patrol to develop a standardized inspection form and train local law enforcement agencies, civilian employees, and limited authority law enforcement personnel on inspection procedures of licensed purchasers of catalytic converters, among other inspection-related duties.

Section 23 would add a new section to chapter 9A.82 RCW, requiring any person removing a catalytic converter from a vehicle for a purpose other than maintenance, repair, or demolition, or who knowingly possesses an unmarked catalytic converter, to mark that catalytic converter with the last eight digits of the vehicle identification number corresponding to the vehicle the catalytic converter originated from. It would be a gross misdemeanor for someone to remove, alter or obliterate the last eight digits of the originating vehicle identification number from a detached catalytic converter, unless a person had a previous conviction for this offense, in which case it would be a class C felony.

This section would also specify that it is a gross misdemeanor for any person who is not a scrap processor licensed under chapter 46.79 RCW or vehicle wrecker licensed under chapter 46.80 RCW to knowingly possess, sell, or offer for sale six or fewer detached catalytic converters that do not comply with the marking requirements above. This section would specify it would be a class C felony for such a person to knowingly possess, sell, or offer for sale seven or more such detached and unmarked catalytic converters.

Section 24 would add a new section to chapter 9A.82 RCW, creating the new class C felony offense of trafficking in catalytic converters in the first degree. A person would be guilty of this offense if they knowingly traffic seven or more detached catalytic converters without fulfilling the requirements under chapter 46.79 or 46.80 RCW for lawful transfer, or knowingly purchase a detached catalytic converter without possessing a valid scrap processor license under chapter 46.79 RCW or vehicle wrecker license under chapter 46.80 RCW.

Section 25 would add a new section to chapter 9.94A RCW, creating a new special allegation where a defendant has been convicted of trafficking in catalytic converters in the first degree and certain other conditions have been proven beyond a reasonable doubt.

Section 26 would add a new section to chapter 9A.82 RCW, creating the new class C felony offense of trafficking in catalytic converters in the second degree. A person would be guilty of this offense if they knowingly traffic six or fewer

catalytic converters that have been removed from a motor vehicle, without fulfilling the requirements under chapter 46.79 or 46.80 RCW for lawful transfer.

Section 28 would amend RCW 9.94A.533, adding a 12-month sentencing enhancement for a violation where the new special allegation in section 25 has been found. Imposing this enhancement would be at the discretion of the court.

Section 29 would amend RCW 9.94A.515, ranking trafficking in catalytic converters in the first degree at seriousness level four on the adult felony sentencing grid, and ranking trafficking catalytic converters in the second degree at seriousness level three. The amendments in this section would also rank possession, sale, or offering for sale of seven or more unmarked catalytic converters at seriousness level two on the adult felony sentencing grid.

Section 30 specifies that the proposed legislation would take effect on April 1, 2025.

## **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

The proposed legislation would require approximately \$528,221 in one-time costs for local law enforcement training, in addition to other indeterminate impacts.

According to WASPC, all local law enforcement officers would need to go through training regarding the new criminal offenses this bill would create and the Washington State Patrol inspection procedures for licensed purchasers of catalytic converters. WASPC estimates that approximately 50 minutes of training would be required per law enforcement officer. This training would require a one-time cost of \$393,281 for cities and \$134,940 for counties, for a total one-time cost to local governments of \$528,221.

The 2022 Crime in Washington Report conducted by WASPC states that there are 6,647 commissioned officers in police departments and 2,249 commissioned officers in sheriff's departments, for a total of 8,896 commissioned law enforcement employees that would require training. The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates the average hourly salary (including benefits and overhead) for an officer employed by a city to be \$71, and the same figure for an officer employed by a county to be \$72. If every officer in Washington had to complete approximately 45 minutes of training, the cost to local governments would be:

Cities:

6,647 officers X (5/6) hours X \$71 average hourly salary plus benefits and overhead = \$393,281

Counties:

2,249 officers X (5/6) hours X \$72 average hourly salary plus benefits and overhead = \$134,940

Total:

\$393,281 + \$134,940 = \$528,221

Training materials and time required may differ among different departments, however.

According to the Washington State Caseload Forecast Council's (CFC) fiscal note on this bill, creating three new C felony offenses and two new gross misdemeanor offenses, and expanding an existing gross misdemeanor offense could impact demand for jail beds. As a class C felony ranked at seriousness level four, trafficking in catalytic converters in the first degree would be punishable by a confinement term of between three to nine months in jail and 60 months in prison, depending on a person's prior criminal history. As a class C felony ranked at seriousness level three, trafficking in catalytic converters in the second degree would be punishable by a confinement term of between one to three months in jail and 51 to 60 months in prison, depending on a person's prior criminal history. As a Class C felony ranked at seriousness level two, possession, sale, or offering for sale of seven or more unmarked catalytic converters would be punishable by a confinement term of between zero to 90 days in jail and 43 to 57 months in prison. Gross misdemeanor

offenses are punishable by a confinement term of zero to 364 days in jail.

However, since it is unknown how many incidents of the new class C felony offenses, new gross misdemeanor offenses, or expanded gross misdemeanor offense may occur, CFC cannot predict the jail bed impacts resulting from this bill, so the associated expenditure impact on local governments is indeterminate. The 2024 Local Government Fiscal Note Program Criminal Justice Cost Model estimates that the average daily cost of occupying a jail bed is \$145.

According to the CFC fiscal note for this bill, the creation of three new class C felony offenses, two new gross misdemeanor offenses, and an expanded gross misdemeanor offense could also increase demand for county juvenile detention beds. As class C felony offenses ranked at category C on the juvenile sentencing grid, trafficking in catalytic converters in the first and second degree, and possession, sale, or offering for sale of seven or more unmarked catalytic converters would be punishable by a standard range term of between zero to 30 days in local juvenile detention and 15 to 36 weeks in juvenile rehabilitation. Ranked at category D on the juvenile sentencing grid, gross misdemeanors are punishable by a standard range term of zero to 30 days in local juvenile detention.

However, it is unknown how many juvenile incidents of the new class C felony offenses, the new gross misdemeanor offenses, or the expanded gross misdemeanor offense may occur as a result of this bill's provisions, so the magnitude of any resulting increase in county juvenile detention expenditures is indeterminate. The Local Government Fiscal Note Program does not have detailed information on the costs of juvenile detention, however the average daily rate for juvenile detention beds is generally higher than the same figure for a jail bed.

In addition to bed impacts, the creation of three new class C felony offenses, two new gross misdemeanor offenses, and an expanded gross misdemeanor offense could increase law enforcement, prosecution and public defense expenditures as a result of processing incidents of the new and expanded offenses. According to the 2024 Local Government Fiscal Note Program Criminal Justice Cost Model, the combined law enforcement, prosecution and public defense costs to process an incident of a class C felony, or gross misdemeanor stolen property offense are approximately \$5,647.

However, given that it is unknown how many incidents of the new offenses may occur, the magnitude of the expenditure impacts on local governments from processing incidents of these offenses is indeterminate.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

The proposed legislation would have no impact on local government revenues.

#### **SOURCES:**

Crime in Washington Report, 2022

Local Government Fiscal Note Program Criminal Justice Cost Model, 2024

Washington Association of Sheriffs and Police Chiefs

Washington State Caseload Forecast Council



# Multiple Agency Ten-Year Analysis Summary

|                    |                           |
|--------------------|---------------------------|
| <b>Bill Number</b> | <b>Title</b>              |
| 2153 E S HB        | Catalytic converter theft |

This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

## Estimated Cash Receipts

|   | Fiscal Year<br>2024 | Fiscal Year<br>2025 | Fiscal Year<br>2026 | Fiscal Year<br>2027 | Fiscal Year<br>2028 | Fiscal Year<br>2029 | Fiscal Year<br>2030 | Fiscal Year<br>2031 | Fiscal Year<br>2032 | Fiscal Year<br>2033 | 2024-33<br>TOTAL |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|------------------|
| Office of Public Defense                    | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Office of Attorney General                  | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Caseload Forecast Council                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Department of Revenue                       | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Office of Insurance Commissioner            | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Washington State Patrol                     | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Criminal Justice Training Commission        | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Department of Licensing                     | 0                   | 24,000              | 111,000             | 111,000             | 111,000             | 111,000             | 111,000             | 111,000             | 111,000             | 111,000             | 912,000          |
| Department of Children, Youth, and Families | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Department of Corrections                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| Washington State University                 | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                |
| <b>Total</b>                                | <b>0</b>            | <b>24,000</b>       | <b>111,000</b>      | <b>111,000</b>      | <b>111,000</b>      | <b>111,000</b>      | <b>111,000</b>      | <b>111,000</b>      | <b>111,000</b>      | <b>111,000</b>      | <b>912,000</b>   |



# Ten-Year Analysis

|                                   |   |   |
|-----------------------------------|---|---|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>056 Office of Public Defense |
|-----------------------------------|---|---|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|  |                     |                            |
|--|---------------------|----------------------------|
| Agency Preparation: Sophia Byrd McSherry | Phone: 360-586-3164 | Date: 2/16/2024 5:38:46 pm |
| Agency Approval: Sophia Byrd McSherry    | Phone: 360-586-3164 | Date: 2/16/2024 5:38:46 pm |
| OFM Review:                              | Phone:              | Date:                      |



# Ten-Year Analysis

|                                   |   |   |
|-----------------------------------|---|---|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>100 Office of Attorney General |
|-----------------------------------|---|---|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                   |                     |                            |
|-----------------------------------|---------------------|----------------------------|
| Agency Preparation: Dave Merchant | Phone: 360-753-1620 | Date: 2/16/2024 3:57:43 pm |
| Agency Approval: Dianna Wilks     | Phone: 360-709-6463 | Date: 2/16/2024 3:57:43 pm |
| OFM Review:                       | Phone:              | Date:                      |



# Ten-Year Analysis

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>101 Caseload Forecast Council |
|-----------------------------------|---|--|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                         
  **Partially Indeterminate Cash Receipts**
                         
  **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                       |                     |                            |
|---------------------------------------|---------------------|----------------------------|
| Agency Preparation: Clela Steelhammer | Phone: 360-664-9381 | Date: 2/16/2024 8:27:00 am |
| Agency Approval: Clela Steelhammer    | Phone: 360-664-9381 | Date: 2/16/2024 8:27:00 am |
| OFM Review:                           | Phone:              | Date:                      |





# Ten-Year Analysis

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>140 Department of Revenue |
|-----------------------------------|---|--|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                    |                     |                            |
|------------------------------------|---------------------|----------------------------|
| Agency Preparation: Erikka Ferrara | Phone: 360-534-1517 | Date: 2/15/2024 1:30:35 pm |
| Agency Approval: Valerie Torres    | Phone: 360-534-1521 | Date: 2/15/2024 1:30:35 pm |
| OFM Review:                        | Phone:              | Date:                      |



# Ten-Year Analysis

|                                   |   |   |
|-----------------------------------|---|---|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>160 Office of Insurance Commissioner |
|-----------------------------------|---|---|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                  |                     |                            |
|----------------------------------|---------------------|----------------------------|
| Agency Preparation: Andrew Davis | Phone: 360-725-7170 | Date: 2/14/2024 2:06:18 pm |
| Agency Approval: Joyce Brake     | Phone: 360-725-7041 | Date: 2/14/2024 2:06:18 pm |
| OFM Review:                      | Phone:              | Date:                      |



# Ten-Year Analysis

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>225 Washington State Patrol |
|-----------------------------------|---|--|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                 |                       |                            |
|---------------------------------|-----------------------|----------------------------|
| Agency Preparation: Julia Moser | Phone: 360-596-4044   | Date: 2/16/2024 2:17:36 pm |
| Agency Approval: Mario Buono    | Phone: (360) 596-4046 | Date: 2/16/2024 2:17:36 pm |
| OFM Review:                     | Phone:                | Date:                      |



# Ten-Year Analysis

|                                   |   |   |
|-----------------------------------|---|---|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>227 Criminal Justice Training Commission |
|-----------------------------------|---|---|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                   |                     |                            |
|-----------------------------------|---------------------|----------------------------|
| Agency Preparation: Brian Elliott | Phone: 206-835-7337 | Date: 2/14/2024 8:32:09 am |
| Agency Approval: Brian Elliott    | Phone: 206-835-7337 | Date: 2/14/2024 8:32:09 am |
| OFM Review:                       | Phone:              | Date:                      |



# Ten-Year Analysis

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>240 Department of Licensing |
|-----------------------------------|---|--|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                         
  **Partially Indeterminate Cash Receipts**
                         
  **Indeterminate Cash Receipts**

## Estimated Cash Receipts

| Name of Tax or Fee                 | Acct Code | Fiscal Year 2024 | Fiscal Year 2025 | Fiscal Year 2026 | Fiscal Year 2027 | Fiscal Year 2028 | Fiscal Year 2029 | Fiscal Year 2030 | Fiscal Year 2031 | Fiscal Year 2032 | Fiscal Year 2033 | 2024-33 TOTAL  |
|------------------------------------|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|----------------|
| Catalytic Converter Inspection Fee | 081       |                  | 24,000           | 111,000          | 111,000          | 111,000          | 111,000          | 111,000          | 111,000          | 111,000          | 111,000          | 912,000        |
| <b>Total</b>                       |           |                  | <b>24,000</b>    | <b>111,000</b>   | <b>111,000</b>   | <b>111,000</b>   | <b>111,000</b>   | <b>111,000</b>   | <b>111,000</b>   | <b>111,000</b>   | <b>111,000</b>   | <b>912,000</b> |
| <b>Biennial Totals</b>             |           |                  | <b>24,000</b>    | <b>222,000</b>   |                  | <b>222,000</b>   |                  | <b>222,000</b>   |                  | <b>222,000</b>   |                  | <b>912,000</b> |

## Narrative Explanation (Required for Indeterminate Cash Receipts)

Section 20 of this bill would add a \$500 catalytic converter inspection fee to wrecker licenses fees collected by DOL. Section 16 of this bill would add a \$500 catalytic converter fee to scrap processor icenses collected by DOL.

|                                      |                       |                            |
|--------------------------------------|-----------------------|----------------------------|
| Agency Preparation: Ellie Gochenouer | Phone: 360-901-0114   | Date: 2/16/2024 3:51:40 pm |
| Agency Approval: Collin Ashley       | Phone: (564) 669-9190 | Date: 2/16/2024 3:51:40 pm |
| OFM Review:                          | Phone:                | Date:                      |



# Ten-Year Analysis

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>307 Department of Children, Youth, and Families |
|-----------------------------------|---|--|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                  |                     |                            |
|----------------------------------|---------------------|----------------------------|
| Agency Preparation: Wendy Polzin | Phone: 2066702667   | Date: 2/16/2024 8:01:11 pm |
| Agency Approval: Crystal Lester  | Phone: 360-628-3960 | Date: 2/16/2024 8:01:11 pm |
| OFM Review:                      | Phone:              | Date:                      |



# Ten-Year Analysis

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>310 Department of Corrections |
|-----------------------------------|---|--|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                    |                       |                            |
|------------------------------------|-----------------------|----------------------------|
| Agency Preparation: Ellen Hafer    | Phone: (360) 725-8428 | Date: 2/16/2024 2:47:00 pm |
| Agency Approval: Michael Steenhout | Phone: (360) 789-0480 | Date: 2/16/2024 2:47:00 pm |
| OFM Review:                        | Phone:                | Date:                      |



# Ten-Year Analysis

|                                   |   |  |
|-----------------------------------|---|--|
| <b>Bill Number</b><br>2153 E S HB | <b>Title</b><br>Catalytic converter theft | <b>Agency</b><br>365 Washington State University |
|-----------------------------------|---|--|

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**                       **Partially Indeterminate Cash Receipts**                       **Indeterminate Cash Receipts**

|                           |                  |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <b>Name of Tax or Fee</b> | <b>Acct Code</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|---------------------------|------------------|--|--|--|--|--|--|--|--|--|--|--|--|

|                                 |                     |                            |
|---------------------------------|---------------------|----------------------------|
| Agency Preparation: Emily Green | Phone: 5093359681   | Date: 2/19/2024 5:02:09 pm |
| Agency Approval: Chris Jones    | Phone: 509-335-9682 | Date: 2/19/2024 5:02:09 pm |
| OFM Review:                     | Phone:              | Date:                      |