

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
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Legislation Title:

AN ORDINANCE relating to consuming marijuana in public; amending Chapter 12A.20 of the Seattle Municipal Code to conform with state law.

Summary of the Legislation:

This ordinance amends the Seattle Criminal Code to conform to one provision of the Revised Code of Washington resulting from Initiative 502, which decriminalized marijuana. The provision makes consuming marijuana or opening a package of marijuana a Class 3 civil infraction, subject to a monetary penalty to be set by Municipal Court local rule and be consistent with the penalty for public consumption of alcohol (RCW 69.50.445).

Smoking marijuana in public places and in places of employment is separately subject to the provisions of Municipal Code Chapter 10.64 on No-smoking Areas.

Background:

(Include a brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable.)

Seattle Municipal Code Section 12A.20.060 sets the investigation, arrest and prosecution of marijuana offenses as the City's lowest law enforcement priority, but the Municipal Code is otherwise silent on marijuana.

Please check one of the following:

 x **This legislation does not have any financial implications.**

(Please skip to "Other Implications" section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
(If yes, explain them here.)

Depending on the level of violations and enforcement of the new infraction, the General Subfund may see an increase in fine revenue.

b) What is the financial cost of not implementing the legislation?

(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs.)

None.

c) Does this legislation affect any departments besides the originating department?

(If so, please list the affected department(s), the nature of the impact (financial, operational, etc), and indicate which staff members in the other department(s) are aware of the proposed legislation.)

The Police Department will be responsible for enforcement and the Municipal Court will be responsible for collecting the penalties.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives? (Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)

None.

e) Is a public hearing required for this legislation?

(If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned for the future?)

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

(For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.)

No.

g) Does this legislation affect a piece of property?

(If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.)

No.

h) Other Issues:

List attachments to the fiscal note below: