

Multiple Agency Fiscal Note Summary

Bill Number: 6493 S SB	Title: Intercollegiate athletics
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Estimated Cash Receipts

NONE

Estimated Expenditures

Agency Name	2017-19			2019-21			2021-23		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0
Central Washington University	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	Fiscal note not available								
Western Washington University	.0	0	0	.0	0	0	.0	0	0
Community and Technical College System	.0	0	0	.0	0	0	.0	0	0
Total	0.0	\$0	\$0	0.0	\$0	\$0	0.0	\$0	\$0

Estimated Capital Budget Impact

NONE

Prepared by: Breann Boggs, OFM	Phone: (360) 902-0659	Date Published: Preliminary 2/23/2018
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 52628

FNS029 Multi Agency rollup

Individual State Agency Fiscal Note

Revised

Bill Number: 6493 S SB	Title: Intercollegiate athletics	Agency: 360-University of Washington
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Part I: Estimates

☒ No Fiscal Impact

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: Trudes Tango	Phone: 360-786-7384	Date: 02/15/2018
Agency Preparation: Becka Johnson Poppe	Phone: 206-616-7203	Date: 02/20/2018
Agency Approval: Becka Johnson Poppe	Phone: 206-616-7203	Date: 02/20/2018
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/22/2018

Part II: Narrative Explanation

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

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

The bill states that the Board of Trustees or Regents of each public college and university must specifically approve in an open public meeting the annual budget for its intercollegiate athletic (ICA) program in advance of any expenditures for that fiscal year. This element was not in the original bill.

If an ICA program experiences an operating deficit in the previous fiscal year, the Board must also:

- Approve a plan for the how the program will prevent an operating deficit in future fiscal years and post that plan to the institution's website; and
- Post to the institution's website the financial statements of the programs for the three prior fiscal years.

Section 2(b) also notes that any public records request for a copy of the financial statements or plan must be at no cost to the requestor.

Unlike the original bill, which required that the Board approve any new or increasing expenditures or transfers of over \$100,000, this bill requires the same, but increases the threshold to \$250,000.

Compared to the original bill, the substitute bill also:

- Adds exceptions to the prior approval requirement when the expenditure results in a net positive gain or is to address an immediate public safety need; and
- Modifies the definition of operating deficit to mean the difference between total operating costs and revenue generated by the program plus reserves that were originally generated by the program."

Like the original bill, the fiscal impact of the substitute bill is minimal and would be absorbed within existing resources. Section 1(2)(a) doesn't represent a new cost for the UW because we essentially already have a plan for how our ICA program will reduce operating deficits in future fiscal years. The disclosure and management requirements of this bill are similar to what is already done at the UW; however, some amount of additional review by the Board of Regents would be needed to ensure that we are in full compliance with the bill. The logistics of this would likely require some additional staff time. Further, because the UW Board of Regents typically only meets once per month (sometimes less), it is possible that normal business operations could be stalled by the requirements of this bill, which could create some operational challenges that require additional staff time. Overall, however, the additional staff time is expected to be minimal (likely under 80 hours per year, with less than \$8,000 in salary and benefits expenditures). This would be incorporated into the normal course of business and absorbed within existing resources.

Under Section 2(b), we assume that by posting the plans and financial statements to the UW's website, the need for public records requests would be minimal and could be satisfied by providing electronic copies. Thus, we assume that this would have no fiscal impact.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6493 S SB	Title: Intercollegiate athletics	Agency: 365-Washington State University
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Part I: Estimates

☒ No Fiscal Impact

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: Trudes Tango	Phone: 360-786-7384	Date: 02/15/2018
Agency Preparation: Kelley Westhoff	Phone: 5093350907	Date: 02/20/2018
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 02/20/2018
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/22/2018

Part II: Narrative Explanation

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

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

Sec. 1 (1) requires the board of Regents to approve the annual budget for intercollegiate athletics prior to any expenditures for the fiscal year.

Sec. 1 (2) requires athletic departments that have an operating deficit in any fiscal year to do the following in subsequent fiscal year(s):

1. Obtain Regents approval of plans for how the program will reduce deficits in future fiscal years;
2. Post three years financial statements and the plan for deficit reduction to the university web site.
3. Provide copies of financial statements and deficit reduction plans at no cost if public record requests for this information are received.
4. Obtain Regents approval for transfers exceeding \$250,000, in advance of the transfer occurring.
5. Obtain Regents approval for any expenditure over \$250,000 that was not included in the approved annual budget, in advance of such expenditure unless certain exceptions described in Section 3 apply.

The WSU Athletic Department already prepares and posts annual budget results on their web page. Recovery plans, if required, are prepared as part of the annual budget and planning process. Including the items required by this bill on the Regent's agenda and posting additional information on the Athletics web site will have no fiscal impact.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6493 S SB	Title: Intercollegiate athletics	Agency: 370-Eastern Washington University
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Part I: Estimates

☒ No Fiscal Impact

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:

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 02/15/2018
Agency Preparation: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 02/20/2018
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 02/20/2018
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/22/2018

Part II: Narrative Explanation

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

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

Section 1(1) The board of trustees must specifically approve in an open public meeting the annual budget for its intercollegiate athletic programs in advance of any expenditure for the fiscal year.

Section 1(2) If a college or university's programs experience an operating deficit at the end of any fiscal year, the board of trustees must:

- (a) Approve a plan for how the programs will reduce operating deficits in future years;
- (b) Conspicuously post to the university website the plan in (a) and financial statements of the programs for the three prior fiscal years;
- (c and d) Advance approval by the board of trustees of any expenditure or transfer exceeding \$250,000 - except BOT approval may occur after the next regularly scheduled BOT meeting if the expense/transfer is time sensitive and resulting in a direct revenue gain to the program OR required to meet an immediate public safety need.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

This bill addresses transparency and reporting in Athletics. There is no expected fiscal impact related to this bill's two requirements. Specifically:

Requirement 1:

Section 1(1) The board of trustees must specifically approve in an open public meeting the annual budget for its intercollegiate athletic programs in advance of any expenditure for the fiscal year.

No Fiscal Impact 1:

The bill requirements of a public meeting and BOT budget approval; this is currently an existing meeting to approve the annual budget, and modifications to the BOT presentation will be made internally and addressed with existing resources.

Requirement 2:

Section 1(2) If a college or university's programs experience an operating deficit at the end of any fiscal year, the board of trustees must:

- (a) Approve a plan for how the programs will reduce operating deficits in future years;
- (b) Conspicuously post to the university website the plan in (a) and financial statements of the programs for the three prior fiscal years;
- (c and d) Advance approval by the board of trustees of any expenditure or transfer exceeding \$250,000 - except BOT approval may occur after the next regularly scheduled BOT meeting if the expense/transfer is time sensitive and resulting in a direct revenue gain to the program OR required to meet an immediate public safety need.

No Fiscal Impact 2:

Budget planning exists within normal business practice, so such a plan - if required - fits within existing work.

BOT approval of the operating deficit plan will be addressed within existing resources during existing meetings.

Website posting of the plan and financial statements is addressed within existing resources.

BOT approval of large expenditures to be addressed during regularly-scheduled meetings within existing resources.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6493 S SB	Title: Intercollegiate athletics	Agency: 375-Central Washington University
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Part I: Estimates

☒ No Fiscal Impact

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- ☐ Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 02/15/2018
Agency Preparation: Lisa Plesha	Phone: (509) 963-1233	Date: 02/22/2018
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 02/22/2018
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/23/2018

Part II: Narrative Explanation

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

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

SSB 6493 requires the board of trustees or regents of each of the state's colleges and universities to approve in an open public meeting the annual budget for its intercollegiate athletics programs in advance of any expenditures for that year. If the university experiences an operating deficit at the end of any fiscal year, the board of trustees must approve a plan for how the programs will reduce operating deficits in the future and conspicuously post the plan as well as the financial statements of the programs for the three prior fiscal years to the university's web site. Any public records requests for these documents will be at no cost to the requester. The board must also approve and transfers or expenses not included in the approved budget and exceeding \$250,000 in advance unless the expenditure or transfer is time sensitive and the net fiscal impact results in a direct revenue gain or it is required to meet an immediate public safety need.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Requiring the approval of the operating budget by the board of trustees for CWU's intercollegiate athletics programs is not seen, in and of itself, as having a fiscal impact. Approval by the board would be sought during regularly scheduled meetings over the spring and summer months.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6493 S SB	Title: Intercollegiate athletics	Agency: 380-Western Washington University
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Part I: Estimates

☒

No Fiscal Impact

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- ☐ Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 02/15/2018
Agency Preparation: Dana Weigel	Phone: 360-650-2811	Date: 02/20/2018
Agency Approval: Linda Teater	Phone: 360-650-4762	Date: 02/20/2018
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/22/2018

Part II: Narrative Explanation

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

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

Section 1(1) requires the board of trustees to approve a budget for intercollegiate athletics prior to the start of the fiscal year.

Section 1(2) requires that, if the intercollegiate athletic program is operating at a deficit, the university must:

- Approve a plan outlining how programs will reduce operating deficits in future fiscal years;
- Post to the institution's website the financial statements of the programs for the three prior fiscal years and provide any financial statements or plans as part of a related public records request at no cost to the requestor; and
- Approve in advance any transfer exceeding \$250,000 and any expenditure exceeding \$250,000 unless the expenditure is time sensitive and the net impact is a revenue gain or the expenditure is required to meet an immediate public safety need in which case the board may approve the expenditure after the expense is made

The logistics of providing information to the board before the start of the fiscal year, and possibly throughout the fiscal year, as well as posting information on the university website will require some minimal staff time, but it can be managed within existing resources.

Section 1(2)(a) requires programs operating at a deficit to approve a plan to reduce operating deficits in the future. WWU estimates that the one-time cost for creating this plan can be absorbed within existing staff time and resources.

The Board of Trustees typically meets quarterly so it is possible that normal business operations could be stalled in order to meet the requirements of this bill. This could create operational challenges that require additional staff time as well though this is expected to be minimal and can be absorbed within existing resources.

Under section 2(b) requiring public records be provided free of charge, we assume that by posting plans and financial statements on WWU's website, the need for public records requests will be minimal and can be satisfied by providing electronic copies and will therefore have no fiscal impact.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6493 S SB	Title: Intercollegiate athletics	Agency: 699-Community and Technical College System
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Part I: Estimates

☒

No Fiscal Impact

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Check applicable boxes and follow corresponding instructions:

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Trudes Tango	Phone: 360-786-7384	Date: 02/15/2018
Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 02/20/2018
Agency Approval: Cherie Berthon	Phone: 360-704-1023	Date: 02/20/2018
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/22/2018

Part II: Narrative Explanation

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

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

The substitute bill differs from the original bill in the following ways:

- Defines expenditure as any purchase, payment, contract amendment, or expense not related to a public safety need.
- A college or university governing board would be required to approve the annual budget for intercollegiate athletic competition programs in an open public meeting prior to any expenditures for that fiscal year.
- For intercollegiate athletic competition programs experiencing an operating deficit at the end of any fiscal year, transfers of two hundred fifty thousand dollars would have to be approved by the governing board.
- Expenditures over of two hundred fifty thousand dollars that were not included in the approved annual budget would have to be approved in advance, in an open public meeting,.
- Under certain specified conditions, expenditures over of two hundred fifty thousand dollars would be allowed prior to approval by the governing board.

These changes would not change the fiscal impacts to the State Board for Community and Technical Colleges, or the community and technical college system. Fiscal impacts remain the same as in the original bill.

Section1(1)

This bill would require a board of trustees or regents at a state college or university to have open public meetings when approving the annual budget for intercollegiate athletic completion programs in advance of any expenditure for that fiscal year.

Section 1(2)

If a program had an operating deficit at the end of any fiscal year, the board of trustees or regents would be required to:

- Approve a plan for how the program will prevent operating deficits in the future
- Post to their web site the financial statements of the program for three prior fiscal years and their plan for preventing operating deficits
- Approve in advance any transfer exceeding two hundred fifty thousand dollars.
- Approve in advance any expenditures exceeding two hundred fifty thousand dollars that were not included in the approved annual budget.

Section 1(3)

Allow expenditures over of two hundred fifty thousand dollars prior to approval by the governing board, under certain conditions.

Section4

This section defines certain terms, including:

- “Expenditure” means any purchase, payment, contract amendment, or expense not related to a public safety need.
- “Operating costs” means all direct and indirect costs to operate the Programs.
- “Operating Deficit” means the amount by which the aggregate operating costs of the Programs exceeds the aggregate receipts and revenue generated by the Programs in the fiscal year.
- “Transfers” means any transfer of monies to an account used by Programs from any account holding monies not directly generated by the programs.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

No cash receipts impact.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

No fiscal impact.

Section 1(1)

This bill would require a board of trustees or regents to approve, in an open public meeting, the annual budget for intercollegiate athletic completion programs in advance of any expenditure for that fiscal year

Section 1(2)

If a Program had an operating deficit at the end of any fiscal year, the board of trustees or regents would be required to; approve plans to prevent operating deficits in the future, post those plans and three years of financial statements to their web sites, approve in advance any transfer exceeding two hundred fifty thousand dollars and approve in advance any expenditures exceeding two hundred fifty thousand dollars that were not included in the approved annual budget.

Colleges already have to track revenue and expenditures, address budgetary issues and prepare financial statements in their normal business practices. In addition, a college Board of Trustees already has regularly scheduled public meetings that can accommodate intercollegiate athletic agenda items. Developing plans and posting information to the college web site can be done with existing resources.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

No capital budget impact.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

No rule-making required.