# **Multiple Agency Fiscal Note Summary**

Bill Number: 2454 HB Title: Vapor products

# **Estimated Cash Receipts**

Agency Name	2019-21		2021-	-23	2023-25			
	GF- State	Total	<b>GF- State</b>	Total	GF- State	Total		
Liquor and Cannabis Board	0	66,250	0	132,500	0	132,500		
Liquor and Cannabis Board	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.							

77. 1.0	•	CC 0E0	•	100 -00		400 500
Total \$	U	66,250	U	132,500	0	132,500

Agency Name	2019-21		2021	-23	2023-25		
	GF- State	Total	GF- State	Total	GF- State	Total	
Local Gov. Courts							
Loc School dist-SPI							
Local Gov. Other	Fiscal note not available						
Local Gov. Total							

# **Estimated Operating Expenditures**

Agency Name	2019-21				2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	<b>GF-State</b>	Total	FTEs	GF-State	Total	
Liquor and Cannabis Board	.2	81,456	81,456	.2	87,554	87,554	.2	87,554	87,554	
Department of Health	4.2	1,674,000	1,740,000	5.8	2,092,000	2,224,000	4.5	1,452,000	1,584,000	
Total \$	4.4	1,755,456	1,821,456	6.0	2,179,554	2,311,554	4.7	1,539,554	1,671,554	

Agency Name	2019-21				2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total	
Local Gov. Total										
Local Gov. Courts										
Loc School dist-SPI										
Local Gov. Other	Fiscal	note not availab	le							

# **Estimated Capital Budget Expenditures**

Agency Name	2019-21				2021-23			2023-25		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total	
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0	
Department of Health	.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 Breakout**

Prepared by: Ramona Nabors, OFM	Phone:	Date Published:
	(360) 902-0547	Preliminary 2/3/2020

# **Individual State Agency Fiscal Note**

Bill Number: 2454 HB	Title: V	apor products		Ag	gency: 195-Liquor Board	and Cannabis
Part I: Estimates				,		
No Fiscal Impact						
Estimated Cash Receipts to:						
ACCOUNT		FY 2020	FY 2021	2019-21	2021-23	2023-25
Youth Tobacco and Vapor Products			66,2	50 66,25	132,500	132,500
Prevention Account-State 235-1	Total \$		66,2	50 66,25	50 132,500	132,500
In addition to the estimate		ra ara additional				
in addition to the estimate	s above, inc	ere are additional	indeterminate cos	sts and/or savings.	riease see discussion	1.
F-4'	C					
<b>Estimated Operating Expenditures</b>	irom:	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		0.0	0.3	0.2	0.2	0.2
Account						
General Fund-State 001-1	otal \$	0	81,456 81,456	81,456 81,456	87,554 87,554	87,554 87,554
Estimated Capital Budget Impact:						
NONE						
	. , , , , , , , , , , , , , , , , , , ,					
The cash receipts and expenditure esti and alternate ranges (if appropriate),			e most likely fiscal	impact. Factors imp	acting the precision of	these estimates,
Check applicable boxes and follow	correspond	ing instructions:				
X If fiscal impact is greater than \$ form Parts I-V.	50,000 per	fiscal year in the	current biennium	or in subsequent b	iennia, complete enti	re fiscal note
If fiscal impact is less than \$50	,000 per fis	cal year in the cur	rent biennium or	in subsequent bien	nia, complete this pa	age only (Part I)
Capital budget impact, complete	•	j		•	, 1	
X Requires new rule making, con	nplete Part V	٧.				
Legislative Contact:				Phone:	Date: 01/	22/2020
Agency Preparation: Colin O Ne	eill			Phone: (360) 522-2	2281 Date: 01/	22/2020
Agency Approval: Aaron Han	son			Phone: 360-664-17	701 Date: 01/	22/2020
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Ramona Nabors

OFM Review:

Date: 02/03/2020

Phone: (360) 902-0547

# **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 2(7) - Defines a distributor as any person who sells vapor products to persons other than ultimate consumers, or is engaged in the business of selling vapor products in this state and who brings, or causes to be brought, into this state from outside of the state any vapor products for sale.

Section 2(5) - Defines "sale" to include any transfer, exchange, or barter of vapor products at or below the cost of acquisition or at no cost to a person at retail.

Section 2(9) - Defines "manufacturer" for purposes of this chapter as a person who manufactures and sells vapor products to a licensed distributor or licensed manufacturer.

Section 2(18) - "Vapor product" is redefined to mean any product that may be used to deliver any aerosolized or vaporized substance, but not limited to electronic cigarette, e-cigar, e-pipe, vape pen, or e-hookah. It also includes any hardware. It includes all such substances regardless of whether the substance contains nicotine.

Section 2(21) - "Flavored vapor product" is defined as any vapor product that contains a taste or smell, other than that of tobacco, that can be smelled or tasted by an ordinary consumer either prior to, or during consumption of the product. This includes taste or smell relating to fruit, menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb, or spice.

Section 3 - creates a vapor product manufacturer's license. A vapor product license (retailer, distributor, manufacturer, delivery sale) under this chapter must not be located in a domicile (place of residence).

Section 4 - Any person who meets the definition of manufacturer under this chapter must obtain a vapor manufacturer's license (manufacture being defined in Sections 2(22) as the mixing, preparing, creating, producing, fabricating, assembling, modifying, or labeling vapor products).

Section 5 - The Washington State Liquor and Cannabis Board ("Board") shall in consultation with the Department of Health (DOH), adopt rules for safe handling and sanitation practices for vapor product licensees who manufacture, produce, or mix liquids for use in vapor products to the extent permitted under federal law.

Section 6 - A vapor product licensee may not sell, offer to sell, or possess with the intent to sell, flavored vapor products or any products that they reasonably know will be used to create a flavored vapor product. This section applies to all persons who sell vapor products in this state, including, but not limited to, cigarette and tobacco product retailers.

Section 7 - A vapor product may not be sold or offered for sale if the product has nicotine salts or other ingredients that result in nicotine concentrations greater than 20mg per ml of liquid; 2% of the total volume of liquid; or 20ppm of nicotine in the liquid.

Section 8 - Vapor product liquid may only be sold or offered for sale at retail in dedicated refill containers not exceeding 10ml in volume, or disposable/single use cartridges not exceeding 2ml in volume.

Section 10 - A Vapor manufacturer's license is \$250/year.

Section 15(5) - The Board shall, to the extent permitted by federal law, in consultation with DOH, adopt rules regarding: inspection of premises where vapor products are manufactured within Washington state; conditions of sanitation during manufacture, storage, and transport within Washington state; and safe handling requirements for equipment and ingredients within Washington state.

Section 15(6) - Upon a determination by the secretary of health or a local health jurisdiction that a vapor product, constituent, or component may be hazardous to health, the Board may: 1) restrict the sale of such vapor product, constituent, or component; or 2) require vapor product retailers to make a written point-of-sale warning disclosure.

Section 15(8) - The Board may seize any vapor products sold, offered for sale, or possessed in violation of this chapter.

Section 16 - No vapor product containing vitamin E acetate may be sold or offered for sale within this state.

Section 18 - The Board may suspend or revoke the license of a retailer or delivery seller that violates a sales restriction or fails to post a written point-of-sale warning disclosure.

Section 19 - For the purpose of enforcing the provisions of this chapter, the Board may adopt rules that are deemed necessary or advisable.

Section 26 - Within 180 days of the effective date of sections 3 and 4 (the vapor product manufacturer's license), the Board must adopt rules to implement these sections.

#### 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.

This bill creates a new vapor product manufacturer's license. The fee for the license is \$250/year. The Washington State Liquor and Cannabis Board ("Board") estimates that there are 265 distributors that would need to obtain the vapor product manufacturer's license. 265x\$250 = \$66,250/year.

The impact of this legislation is partially indeterminate, as it creates a permanent ban on flavored vapor products. Given that sales of flavored vapor products have historically been a large percentage of the market, it is reasonable to assume that some existing vapor product retailers, distributors, and delivery sellers will choose to discontinue sales of vapor products and not renew their licenses. However, the Board makes no assumptions as to the reduction of license fee revenue from this provision.

#### 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.

#### NOTE REGARDING OBJECT S:

This bill creates a new vapor product manufacturer's license. The fee for the license is \$250/year. The Washington State Liquor and Cannabis Board ("Board") estimates that there are 265 distributors that would need to obtain the vapor product manufacturer's license. 265x\$250 = \$66,250/year.

RCW 70.155.120(3) states that the Department of Health shall enter into interagency agreements with the Board to pay the costs incurred, up to 30% of available funds, in carrying out the Board's vapor product enforcement responsibilities. Section 5 of that statute states that the Board's portion is up to 23% during the 2019-21 biennium.

The Board assumes that its reimbursement from DOH would be \$15,238 in FY21 (\$66,250 x 23%) and \$19,875 in FY22+ (\$66,250 x 30%). This is shown as object S in the table above and as a reduction of expense to the Enforcement Division.

\*\*\*\*

#### **BOARD DIVISION:**

The Attorney General's Office (AGO) anticipates billing the Board for legal work from this legislation. \$33,000 in FY21, \$25,000 in FY22 and ongoing.

\*\*\*\*

#### ENFORCEMENT DIVISION:

The LCB keeps detailed statistics on all of its enforcement activities and tracks this activity using a unit of measure called a Field Increment (FI). All direct enforcement activities such as premise checks, inspections and investigations are tracked to determine how many FI's are needed to accomplish each activity. Each FI is equivalent to 1/10th of an hour (6 minutes). For example, if a tavern premise check takes 2 FI's and two officers, it is anticipated that one check will consume 4 FI's. Using historical data to factor out indirect activities such as driving time, training, office time and leave, it has been determined that officers are available for an average of 4,220 FI's each year.

The workload impact of this bill is expected to be driven by investigations, complaints, evidence processing, and administrative violation notices (AVN). This equals 0.20 FTE of LCB Enforcement Officer (LEO2).

0.2 FTE LCB Enforcement Officer 2 - \$24,402/yr (\$21,210 salary/benefits, \$3,192 in associated costs)

There will also be lab costs associated with testing products where complaints have been received for one reason or another. The estimate is for 14.25 complaints per year, with 5 products tested per complaint. Each product tested requires a separate lab test. Lab tests are \$200 each. \$14,250/year (14.25 complaints x 5 products x \$200 lab test)

Please see the attached "2454 HB Vapor Products - Enforcement Field Increment Calculator.pdf" for the workload and lab cost assumptions.

The net expenses for the division are as follows:

FY21: \$23,414 -LEO2: \$24,402 -Lab costs: \$14,250 -DOH reimbursement: (\$15,238)

FY22+: \$18,777 -LEO2: \$24,402 -Lab costs: \$14,250

-DOH reimbursement: (\$19,875)

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#### INFORMATION TECHOLOGY DIVISION:

The one-time costs in FY21 of this bill would be driven by changes to the iSeries, Enforcement Notebook, Replication, and SharePoint applications.

#### Vendor costs:

- -iSeries \$9,000 (60 hours x \$150/hr)
- -Enforcement Notebook \$800 (8 hours x \$100/hr)

IT Staff costs (iSeries, Replication, and SharePoint):

0.1 FTE IT App Development - Senior/Specialist - \$15,242/yr (\$15,135 salary/benefits, \$107 in associated costs)

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Туре	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	0	81,456	81,456	87,554	87,554
		Total \$	0	81,456	81,456	87,554	87,554

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

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		0.3	0.2	0.2	0.2
A-Salaries and Wages		26,420	26,420	29,842	29,842
B-Employee Benefits		9,925	9,925	12,578	12,578
C-Professional Service Contracts		24,050	24,050	28,500	28,500
E-Goods and Other Services		34,039	34,039	51,864	51,864
G-Travel		2,232	2,232	4,464	4,464
J-Capital Outlays		28	28	56	56
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements		(15,238)	(15,238)	(39,750)	(39,750)
T-Intra-Agency Reimbursements					
9-					
Total \$	0	81,456	81,456	87,554	87,554

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 2020	FY 2021	2019-21	2021-23	2023-25
IT App Development -	114,984		0.1	0.1		
Senior/Specialist						
LCB Enforcement Officer 2	74,604		0.2	0.1	0.2	0.2
Total FTEs			0.3	0.2	0.2	0.2

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

Program	FY 2020	FY 2021	2019-21	2021-23	2023-25
Board Division (010)		33,000	33,000	50,000	50,000
Enforcement Division (060)		23,414	23,414	37,554	37,554
Information Technology Division (070)		25,042	25,042		
Total \$		81,456	81,456	87,554	87,554

### **Part IV: Capital Budget Impact**

### IV. A - Capital Budget Expenditures

NONE

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

**NONE** 

#### IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods NONE

## 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.

Section 5 - The Washington State Liquor and Cannabis Board ("Board") shall in consultation with the Department of Health (DOH), adopt rules for safe handling and sanitation practices for vapor product licensees who manufacture, produce, or mix liquids for use in vapor products to the extent permitted under federal law.

Section 15 - The Board shall, to the extent permitted by federal law, in consultation with DOH, adopt rules regarding: inspection of premises where vapor products are manufactured within Washington state; conditions of sanitation during manufacture, storage, and transport within Washington state; and safe handling requirements for equipment and ingredients within Washington state.

Section 19 - For the purpose of enforcing the provisions of this chapter, the Board may adopt rules that are deemed necessary or advisable.

Section 26 - Within 180 days of the effective date of sections 3 and 4 (the vapor product manufacturer's license), the Board must adopt rules to implement these sections.

Enforcement Field Increment (FI) Calculator							
2454 HB "Vapor Products"							
Number of events Time Factor Staffing Factor FIT							
Evidence Processing Time	25.75	12	1.3	402			
Administrative Violation Notice (AVN) Issuance	5.30	12	1.3	83			
Vapor Product investigations (Complaints)	14.25	7	1.3	130			
Vapor Product investigations (out of state)	11.50	10	1.3	150			
Complaints of Retailers holding manufacturer's license	13.25	7	1.3	121			

Total FI's 884

Total Field Increments per FTE 4,220

FTE's required 0.21

Round 0.20

<u>Factors</u>	<u>Estimates</u>
In state vapor product manufacturers	150
Out of state vapor product manufacturers	115
incidents of severe lung disease related to vaping	19
Vape Manufacturer premises checks	50%
Administrative Violation Notice (AVN) Issuance rate	2%
Vapor Product investigations (Complaints)	75%
Vapor Product investigations (out of state)	10%
Complaints of Retailers holding manufacturer's license	5%
Cost per lab test (product)	\$200
Average number products tested per complaint	5
Lab Costs (annual)	\$14,250

# **Individual State Agency Fiscal Note**

<b>Bill Number:</b> 2454 HB	Title:	Vapor products		Ago	ency: 303-Departs	ment of Health
Part I: Estimates	•					
No Fiscal Impact						
Estimated Cash Receipts to:						
NONE						
<b>Estimated Operating Expenditure</b>	es from:	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		0.0	8.4	4.2	5.8	4.5
Account		0.0	0.4	4.2	3.0	7.5
General Fund-State 001-1		0	1,674,000	1,674,000	2,092,000	1,452,000
Youth Tobacco and Vapor Product	S	0	66,000	66,000	132,000	132,000
Prevention Account-State 23.			33,333	00,000	.02,000	.02,000
	Total \$	0	1,740,000	1,740,000	2,224,000	1,584,000
The cash receipts and expenditure e			e most likely fiscal i	impact. Factors impa	acting the precision of	these estimates,
and alternate ranges (if appropriate	e), are explo	ained in Part II.	e most likely fiscal i	impact. Factors impe	acting the precision of	these estimates,
and alternate ranges (if appropriate Check applicable boxes and follows)	e), are explo w corresp	onding instructions:				
and alternate ranges (if appropriate	e), are explo w corresp	onding instructions:				
and alternate ranges (if appropriate  Check applicable boxes and follo  If fiscal impact is greater than	w corresponds \$50,000	onding instructions: per fiscal year in the	current biennium	or in subsequent bi	ennia, complete ent	ire fiscal note
and alternate ranges (if appropriate  Check applicable boxes and follo  X  If fiscal impact is greater than form Parts I-V.	w correspondence (\$50,000 per	onding instructions:  per fiscal year in the  r fiscal year in the cur	current biennium	or in subsequent bi	ennia, complete ent	ire fiscal note
and alternate ranges (if appropriate  Check applicable boxes and follow  If fiscal impact is greater than form Parts I-V.  If fiscal impact is less than \$5	y, are expla w corresp \$50,000 50,000 per lete Part Γ	onding instructions:  per fiscal year in the  r fiscal year in the cur  V.	current biennium	or in subsequent bi	ennia, complete ent	ire fiscal note
and alternate ranges (if appropriate  Check applicable boxes and follo  X If fiscal impact is greater than form Parts I-V.  If fiscal impact is less than \$5	y, are expla w corresp \$50,000 50,000 per lete Part Γ	onding instructions:  per fiscal year in the  r fiscal year in the cur  V.	current biennium	or in subsequent bi	ennia, complete ent	ire fiscal note age only (Part I).
and alternate ranges (if appropriate  Check applicable boxes and follo  X If fiscal impact is greater than form Parts I-V.  If fiscal impact is less than \$5  Capital budget impact, compl  X Requires new rule making, co	w corresponding \$50,000 per lete Part Γ complete Part	onding instructions:  per fiscal year in the  r fiscal year in the cur  V.	current biennium	or in subsequent bi	ennia, complete ent nia, complete this pa  Date: 01/	ire fiscal note age only (Part I).

Bryce Andersen

OFM Review:

Date: 01/22/2020

Phone: (360) 902-0580

# **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 3: Amends RCW 70.345.020 to add the issuance of a vapor product manufacturer's license.

Section 9 (1): "Licensed vapor product distributors and manufacturers who sell vapor products in this state must submit under oath to the department of health a complete list of all constituent substances and the amounts and sources thereof in each vapor product offered for sale, distributed, or manufactured in the state, including all:

- (a) Additives:
- (b) Thickening agents;
- (c) Preservatives;
- (d) Compounds;
- (e) Nicotine content; and
- (f) Any other substance used in the production and processing of each vapor product.
- (2) Disclosures must be completed for every vapor product constituent substance, regardless of whether such a constituent substance is an original constituent present in each vapor product, emitted during the use of the vapor product, or it is reasonably foreseeable that it will be present in the vapor product during the product's expected presale shelf life, or will develop in a vapor product after purchase without any action taken by the consumer. All disclosures must include the amounts and sources of each constituent substance. Constituent substance disclosures must be accompanied by a signed declaration under penalty of perjury certifying the completeness and accuracy of the information provided."

Section 21: "During or upon completion of an investigation provided for under RCW 43.70.170, the secretary may adopt rules, issue orders, or take any other action the secretary deems necessary in order to regulate, control, prohibit, prevent, or otherwise address any article or condition constituting a threat to the public health."

This section requires the department to create rules and will follow standard rulemaking costs and procedures.

#### 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.

None.

#### 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 uniform vaping product manufacturing and processing standards for labeling and ingredient tracking currently exist. How coverage is reached given existing programs and pre-emption is not yet determined. Washington does not have reliable information (identified to date) on the number of manufacturers and processors operating in the state. The Department of Health estimates roughly 500-1,000 manufacturers or processors.

Registering and Processing: Manufacturers and secondary processors would register with the state if they sell consumer-directed vaping products (excluding hardware). Registration supports ingredient information reporting,

in that it provides a list of manufacturers and processors who should be submitting product information.

Based on staffing estimates from Liquor Cannabis Board programs as well as example DOH programs (e.g., shellfish) and common public health infrastructure (e.g., food inspections and food-borne illness outbreak investigations) the department will require 3.5 FTE to oversee the program, process and review applications register manufacturers and approve product and labeling. Total cost beginning in fiscal year 2021 and ongoing are \$493,000 and 3.5 FTE.

#### **Information Services:**

Underlying the tracking of ingredients will be an information system to collect and store data, and allow for timely access and analysis that will turn this data into useable information. The information system should be easy to use and be built on a flexible architecture that can keep pace with changing industry and regulatory needs in this quickly evolving area. The following features of the system are included in the cost estimate:

- Manufacturer/processor: This has a two-fold purpose, allowing for manufacturers and processors to submit ingredient information using the most up-to-date templates; and as feasible, allowing processors a look-up function to find and cite component products already in the system. The former function can improve data quality and reduce resubmission requests related to using inappropriate templates. The latter allows a local producer who is using as one component of their product a prepared vaping base material purchased in bulk from another company the ability to check ingredients for their own tracking needs.
- Laboratory: If in the future a vaping liquid substance is tested, laboratories should be able to report the results to a shared system, so that investigators can be assured of seeing the information in a timely fashion.
- Cross-checking information: The system would include a listing of restricted or banned products, accessible to manufacturers and linkable to submitted labeling information. This listing must account for constant updates in safety of contents, and multiple names used for a given compound or substance.
- Agency interface: Ingredient verification and review processes must allow for easy look-up and viewing of record-level submissions. This includes display of the combined information pertinent to a given product from a given manufacturer. For example, a full record might include information from completed templates, attachments like images of printed labels, laboratory information, and flags on substances of concern listed.
- Data system interoperability: Many agencies currently collect information from manufacturers and processors. To reduce submission redundancies and to assure that a given company does not "fall through the cracks," the new information system should be able share information with multiple other systems. This could involve receiving information from multiple database systems (e.g., SQL, Oracle, etc.) in other state or federal agencies.
- Analysis and reporting capability: Analyses using this system must allow for both routine and ad hoc reporting, and for linkages to other information from other systems, for the purposes of event investigation (e.g., EVALI case investigation).
- Security: This system would support role-based security needs to balance protection of manufacturer and processor information with utility for both those users and regulators or investigators.

Costs for the system implementation beginning in fiscal year 2021 are 4.8 FTE and \$1,164,000 and for fiscal year

2022 3.6 FTE and \$873,000. Ongoing costs are 1.0 FTE and \$233,000.

#### Rulemaking:

Section 21: This bill would require the department to develop and adopt rules regarding labels on vapor products. Costs include staff and associated costs, printing, postage, travel, Office of Attorney General time, and Commission member time. Costs in fiscal year 2021 will total 0.1 FTE and \$17,000.

#### Manufacturer License:

Section 3: This will create additional regulation and enforcement for the Liquor and Cannabis Board (LCB). LCB expects approximately \$66,250 of additional revenue. In fiscal year 2021, 23 percent will go back to LCB for regulating and enforcement. Seventy-seven (77) percent would provide grants to local health departments and local health agencies to develop and implement coordinated tobacco and vapor product intervention strategies to prevent and reduce product use by youth.

In fiscal year 2022 and after, the percentages are 30 percent to LCB and 70 percent to local health departments and agencies.

## Part III: Expenditure Detail

## III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	0	1,674,000	1,674,000	2,092,000	1,452,000
235-1	Youth Tobacco and Vapor Products Prevention Account	State	0	66,000	66,000	132,000	132,000
		Total \$	0	1,740,000	1,740,000	2,224,000	1,584,000

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

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		8.4	4.2	5.8	4.5
A-Salaries and Wages		658,000	658,000	872,000	648,000
B-Employee Benefits		238,000	238,000	322,000	244,000
C-Professional Service Contracts					
E-Goods and Other Services		712,000	712,000	801,000	480,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		65,000	65,000	130,000	130,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements		67,000	67,000	99,000	82,000
9-					
Total \$	0	1,740,000	1,740,000	2,224,000	1,584,000

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 2020	FY 2021	2019-21	2021-23	2023-25
Customer Services Spec 2	3,682		1.0	0.5	1.0	1.0
Fiscal Analyst 2	4,378		1.8	0.9	0.9	0.4
Health Services Consultant 3	5,886		0.5	0.3	0.5	0.5
Health Services Consultant 4	6,496		1.1	0.6	1.0	1.0
IT Application Development Journey	7,839		0.4	0.2	0.2	0.1
IT Application Development	9,076		0.3	0.2	0.2	0.1
Senior/Specialist						
IT Business Analyst Journey	7,839		0.4	0.2	0.2	0.1
IT Business Analyst Senior Specialist	8,643		0.1	0.1		
IT Data Management Senior	8,643		0.7	0.4	0.3	0.1
Specialist						
IT Policy & Planning	9,076		0.1	0.1	0.1	
Senior/Specialist						
IT Project Management	9,076		0.6	0.3	0.3	0.1
Senior/Specialist						
IT Quality Assurance Journey	7,839		0.4	0.2	0.2	0.1
Program Specialist 5	6,496		1.0	0.5	1.0	1.0
Total FTEs			8.4	4.2	5.8	4.5

#### 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

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods NONE

# 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.

This bill would require the department to develop and adopt rules regarding labels on vapor products.