

Multiple Agency Fiscal Note Summary

| | |
|--------------------------------|----------------------------|
| Bill Number: 1850 2S HB | Title: Data privacy |
|--------------------------------|----------------------------|

Estimated Cash Receipts

| Agency Name | 2021-23 | | | 2023-25 | | | 2025-27 | | |
|---------------------------------|--|-------------|----------------|----------|-------------|----------------|----------|-------------|----------------|
| | GF-State | NGF-Outlook | Total | GF-State | NGF-Outlook | Total | GF-State | NGF-Outlook | Total |
| Office of Attorney General | 0 | 0 | 262,000 | 0 | 0 | 524,000 | 0 | 0 | 524,000 |
| SWF Statewide Fiscal Note - OFM | Non-zero but indeterminate cost and/or savings. Please see discussion. | | | | | | | | |
| Total \$ | 0 | 0 | 262,000 | 0 | 0 | 524,000 | 0 | 0 | 524,000 |

| Agency Name | 2021-23 | | 2023-25 | | 2025-27 | |
|---------------------|---------------------------|-------|-----------|-------|-----------|-------|
| | 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 | 2021-23 | | | | 2023-25 | | | | 2025-27 | | | |
|---|---------------------------|------------------|------------------|------------------|-------------|------------------|------------------|------------------|-------------|------------------|------------------|------------------|
| | 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 State Treasurer | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Office of Attorney General | 8.3 | 2,222,000 | 2,222,000 | 2,484,000 | 16.5 | 4,444,000 | 4,444,000 | 4,968,000 | 11.0 | 2,732,000 | 2,732,000 | 3,256,000 |
| Office of Financial Management | Fiscal note not available | | | | | | | | | | | |
| Department of Revenue | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| Utilities and Transportation Commission | .5 | 0 | 0 | 0 | .4 | 0 | 0 | 0 | .0 | 0 | 0 | 0 |
| University of Washington | Fiscal note not available | | | | | | | | | | | |
| Washington State University | Fiscal note not available | | | | | | | | | | | |
| Eastern Washington University | Fiscal note not available | | | | | | | | | | | |
| Central Washington University | Fiscal note not available | | | | | | | | | | | |
| The Evergreen State College | Fiscal note not available | | | | | | | | | | | |
| Western Washington University | Fiscal note not available | | | | | | | | | | | |
| Community and Technical College System | Fiscal note not available | | | | | | | | | | | |
| SWF Statewide Fiscal Note - OFM | 3.9 | 0 | 0 | 2,053,959 | 13.0 | 0 | 0 | 4,964,416 | 13.0 | 0 | 0 | 4,878,408 |
| Total \$ | 12.7 | 2,222,000 | 2,222,000 | 4,537,959 | 29.9 | 4,444,000 | 4,444,000 | 9,932,416 | 24.0 | 2,732,000 | 2,732,000 | 8,134,408 |

| Agency Name | 2021-23 | | | 2023-25 | | | 2025-27 | | |
|---------------------|---------------------------|----------|-------|---------|----------|-------|---------|----------|-------|
| | 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 | | | | | | | | | |
| Local Gov. Total | | | | | | | | | |

Estimated Capital Budget Expenditures

| Agency Name | 2021-23 | | | 2023-25 | | | 2025-27 | | |
|---|---------------------------|----------|----------|------------|----------|----------|------------|----------|----------|
| | FTEs | Bonds | Total | FTEs | Bonds | Total | FTEs | Bonds | Total |
| Administrative Office of the Courts | Fiscal note not available | | | | | | | | |
| Office of State Treasurer | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Office of Attorney General | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Office of Financial Management | Fiscal note not available | | | | | | | | |
| Department of Revenue | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Utilities and Transportation Commission | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| University of Washington | Fiscal note not available | | | | | | | | |
| Washington State University | Fiscal note not available | | | | | | | | |
| Eastern Washington University | Fiscal note not available | | | | | | | | |
| Central Washington University | Fiscal note not available | | | | | | | | |
| The Evergreen State College | Fiscal note not available | | | | | | | | |
| Western Washington University | Fiscal note not available | | | | | | | | |
| Community and Technical College System | Fiscal note not available | | | | | | | | |
| SWF Statewide Fiscal Note - OFM | .0 | 0 | 0 | .0 | 0 | 0 | .0 | 0 | 0 |
| Total \$ | 0.0 | 0 | 0 | 0.0 | 0 | 0 | 0.0 | 0 | 0 |

| Agency Name | 2021-23 | | | 2023-25 | | | 2025-27 | | |
|---------------------|---------------------------|----------|-------|---------|----------|-------|---------|----------|-------|
| | 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 | | | | | | | | | |
| Local Gov. Total | | | | | | | | | |

Estimated Capital Budget Breakout

NONE

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|---|---------------------------------|---|
| Prepared by: Kyle Siefering, OFM | Phone: (360) 995-3825 | Date Published: Preliminary 3/ 8/2022 |
|---|---------------------------------|---|

Individual State Agency Fiscal Note

| | | |
|--------------------------------|----------------------------|--|
| Bill Number: 1850 2S HB | Title: Data privacy | Agency: 090-Office of State Treasurer |
|--------------------------------|----------------------------|--|

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: Angela Kleis | Phone: 360-786-7469 | Date: 03/03/2022 |
| Agency Preparation: Dan Mason | Phone: (360) 902-8990 | Date: 03/04/2022 |
| Agency Approval: Dan Mason | Phone: (360) 902-8990 | Date: 03/04/2022 |
| OFM Review: Cheri Keller | Phone: (360) 584-2207 | Date: 03/04/2022 |

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 .

2SHB 1850 relates to protecting and enforcing the foundational data privacy right of Washingtonians.

The consumer privacy account created in the original bill is now referenced to

- consumer privacy account created in RCW 19.---.--- (section 16, chapter . . . (Engrossed Second Substitute Senate Bill No. 5062 (S- . . . /22)), Laws of 2022).

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

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

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

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

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

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Revised

| | | |
|--------------------------------|----------------------------|---|
| Bill Number: 1850 2S HB | Title: Data privacy | Agency: 100-Office of Attorney General |
|--------------------------------|----------------------------|---|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

| ACCOUNT | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|---|---------|---------|---------|---------|---------|
| Legal Services Revolving Account-State 405-1 | | 262,000 | 262,000 | 524,000 | 524,000 |
| Total \$ | | 262,000 | 262,000 | 524,000 | 524,000 |

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|---|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | 0.0 | 16.5 | 8.3 | 16.5 | 11.0 |
| Account | | | | | |
| General Fund-State 001-1 | 0 | 2,222,000 | 2,222,000 | 4,444,000 | 2,732,000 |
| Legal Services Revolving Account-State 405-1 | 0 | 262,000 | 262,000 | 524,000 | 524,000 |
| Total \$ | 0 | 2,484,000 | 2,484,000 | 4,968,000 | 3,256,000 |

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: Angela Kleis | Phone: 360-786-7469 | Date: 03/03/2022 |
| Agency Preparation: Danielle Hess | Phone: 509-335-2636 | Date: 03/07/2022 |
| Agency Approval: Edd Giger | Phone: 360-586-2104 | Date: 03/07/2022 |
| OFM Review: Tyler Lentz | Phone: (360) 790-0055 | Date: 03/08/2022 |

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: Creates the Washington state consumer data privacy commission and specifies the composition and authority of the commission.

Sec. 2: Sets forth the duties of the commission, including reviewing consumer complaints, rulemaking, enforcement, technical assistance, etc. Grants the commission subpoena authority.

Sec. 3: Sets forth standards and procedures related to the commission's administrative enforcement authority and adds in language about the right to cure.

Sec. 4: Creates a private right of action.

Sec. 5: Establishes an annual fee for controllers and processors.

Sec. 9: States that this act is contingent on the enactment of E2SSB 5062.

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.

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Washington State Consumer Data Protection Commission (CDPC). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agencies' fiscal note. Appropriation authority is necessary in the AGO budget.

AGO AGENCY ASSUMPTIONS:

CDPC will be billed for Seattle rates:

FY 2023 and in each FY thereafter: \$262,000 for 1.0 Assistant Attorney General and 0.50 Legal Assistant.

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.

Attorney General's Office (AGO) Agency Assumptions:

1. Section 9 states that this act is contingent on the enactment of E2SSB 5062 which will begin on July 31, 2022.

2. Location of staffing housed is assumed to be in a Seattle office building.

3. Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

4. Agency administration support FTE are included in the tables, for every one Assistant Attorney General (AAG), the AGO include 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 of a Management Analyst 5 (MA5). The MA5 is used as a representative classification.

Assumptions for the AGO Consumer Protection Division (CPR):

1. CPR activities are funded with General Fund-State dollars. CPR enforces the Consumer Protection Act with respect to conduct that is made unlawful under RCW 19.86.020, which broadly prohibits unfair or deceptive acts or practices in trade or commerce. CPR focus is on representations and failures to disclose terms and conditions.

2. Assume that litigation will be necessary to enforce industry compliance.

3. Estimated costs increased in for this version of the bill due to assumptions that achieving industry compliance through litigation enforcement efforts will be hampered by right to cure provision disputes about whether there has been a cure, and what cure means under the specific context. When a cure is in dispute it will have a deterrent effect on other industry participants. Significant additional staffing hours will be needed when it comes to litigating these matters, as well as additional briefings and depositions being prepared. Expert costs will increase to determine what technology should be implemented to cure a security vulnerability and to protect consumer data.

4. Assume that this bill would be enacted in tandem with 2SSB 5062, which is explicitly incorporated by reference.

FY 2023 – FY 2025:

Staffing:

AAG: Investigate potential violations; draw conclusions from investigation; draft CID /discovery requests; engage in settlement negotiations; file lawsuit if necessary.

Paralegal (PL): Manage documents, draft Civil Investigative Demand (CID)/discovery requests and manage responses; assist with legal pleadings and research.

Investigator (INV): Interview witnesses; review investigative records; other investigative tasks as assigned.

CRC Program Staff (Program Specialist 2 (PS2)): Complaint intake, review and processing; answering phone calls, and responding/coordinating constituent correspondence responses.

Assumptions for Direct Litigation Costs:

Expert costs (\$100,000); depositions to aid in enforcement (\$3,000 per deposition times six depositions = \$18,000); travel expenses for depositions, witness interviews, other (\$3,000); e-document management costs (\$50,000) for a total of \$171,000 per FY.

FY 2026 and in each FY thereafter:

Staffing:

AAG: Investigate potential violations; draw conclusions from investigation; draft CID /discovery requests; engage in settlement negotiations; file lawsuit, if necessary.

PL: Manage documents, draft CID/discovery requests and manage responses; assist with legal pleadings and research.

INV: Interview witnesses; review investigative records; other investigative tasks as assigned.

PS2: Complaint intake, review and processing; answering phone calls, and responding /coordinating constituent correspondence responses

Assumptions for Direct Litigation Costs:

Expert costs (\$60,000); depositions to aid in enforcement (\$3,000 per depositions times four depositions = \$12,000); travel expenses for depositions, witness interviews, other (\$2,000); e-document management costs (\$30,000) for a total of \$104,000 per FY.

CPR: Total Seattle workload impact:

FY 2023 through FY 2025: 5.0 AAG, 2.5 LA, 2.0 INV, 3.0 PL, 1.0 PS2 at a cost of \$2,222,000 (this includes direct litigation costs of \$171,000).

FY 2026 and in each FY thereafter: 3.0 AAG, 1.5 LA, 1.0 INV, 2.0 PL, 1.0 PS2 at a cost of \$1,366,000 (this includes direct litigation costs of \$104,000).

Assumptions for the AGO Division: Legal Services for the newly created Washington State Consumer Data Privacy Commission (CDPC):

1. The AGO will bill CDPC for legal services based on the enactment of this bill.

2. Once the CDPC is established, if it engages in active enforcement requiring Administrative Protection Act (APA) hearings, additional legal staff resources would likely be needed. This appears to be a full time commission with an executive director and other staff as hired. The CDPC will be engaged in rulemaking, contracting /procurement, presumably open public meetings, investigations, and adjudicative proceedings. This is highly technical subject matter with the high potential for complex legal issues. This newly created client will need dedicated legal resources.

AGO Division: Total Seattle workload impact:

FY 2023 and in each FY thereafter: 1.00 AAG, 0.05 LA at a cost of \$262,000.

AGO Total Seattle workload impact:

FY 2023 through FY 2025: 6.0 AAG, 3.0 LA, 3.0 PL, 2.0 INV and 1.0 PS2 at a cost of \$2,484,000 (this includes direct litigation costs of \$171,000).

FY 2026 and in each FY thereafter: 4.0 AAG, 2.0 LA, 2.0 PL, 1.0 INV and 1.0 PS2 at a cost of \$1,628,000 (this includes direct litigation costs of \$104,000).

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------|-------------------------------------|-------|---------|-----------|-----------|-----------|-----------|
| 001-1 | General Fund | State | 0 | 2,222,000 | 2,222,000 | 4,444,000 | 2,732,000 |
| 405-1 | Legal Services Revolving Account | State | 0 | 262,000 | 262,000 | 524,000 | 524,000 |
| Total \$ | | | 0 | 2,484,000 | 2,484,000 | 4,968,000 | 3,256,000 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | | 16.5 | 8.3 | 16.5 | 11.0 |
| A-Salaries and Wages | | 1,503,000 | 1,503,000 | 3,006,000 | 1,976,000 |
| B-Employee Benefits | | 499,000 | 499,000 | 998,000 | 660,000 |
| C-Professional Service Contracts | | 100,000 | 100,000 | 200,000 | 120,000 |
| E-Goods and Other Services | | 345,000 | 345,000 | 690,000 | 450,000 |
| G-Travel | | 21,000 | 21,000 | 42,000 | 28,000 |
| J-Capital Outlays | | 16,000 | 16,000 | 32,000 | 22,000 |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | | | | |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 0 | 2,484,000 | 2,484,000 | 4,968,000 | 3,256,000 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|------------------------------------|---------|---------|---------|---------|---------|---------|
| Assistant Attorney General-Seattle | 117,810 | | 6.0 | 3.0 | 6.0 | 4.0 |
| Legal Assistant 3-Seattle | 66,876 | | 3.0 | 1.5 | 3.0 | 2.0 |
| Management Analyst 5 | 88,644 | | 1.5 | 0.8 | 1.5 | 1.0 |
| Paralegal-Seattle | 72,732 | | 3.0 | 1.5 | 3.0 | 2.0 |
| Program Specialist 2 | 54,004 | | 1.0 | 0.5 | 1.0 | 1.0 |
| Senior Investigator-Seattle | 95,436 | | 2.0 | 1.0 | 2.0 | 1.0 |
| Total FTEs | | | 16.5 | 8.3 | 16.5 | 11.0 |

III. D - Expenditures By Program (optional)

| Program | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|------------------------------------|---------|-----------|-----------|-----------|-----------|
| AGO Division (AGO) | | 262,000 | 262,000 | 524,000 | 524,000 |
| Consumer Protection Division (CPR) | | 2,222,000 | 2,222,000 | 4,444,000 | 2,732,000 |
| Total \$ | | 2,484,000 | 2,484,000 | 4,968,000 | 3,256,000 |

Part IV: Capital Budget Impact**IV. A - Capital Budget Expenditures**

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout*Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods*

NONE

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

NONE

Part V: New Rule Making Required

Department of Revenue Fiscal Note

| | | |
|--------------------------------|----------------------------|--|
| Bill Number: 1850 2S HB | Title: Data privacy | Agency: 140-Department of Revenue |
|--------------------------------|----------------------------|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated 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: Angela Kleis | Phone: 603-786-7469 | Date: 03/03/2022 |
| Agency Preparation: Melissa Howes | Phone: 603-534-1518 | Date: 03/04/2022 |
| Agency Approval: Valerie Torres | Phone: 603-534-1521 | Date: 03/04/2022 |
| OFM Review: Cheri Keller | Phone: (603) 584-2207 | Date: 03/04/2022 |

Request # 1850-3-1

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.

Note: This fiscal note reflects language in Second Substitute House Bill (2SHB) 1850, 2022 Legislative Session.

This fiscal note only addresses those sections of the bill that impact the Department of Revenue (Section 5).

COMPARISON OF SECOND SUBSTITUTE BILL WITH THE SUBSTITUTE BILL :

- The second substitute bill is limited to the establishment of the Washington State Consumer Data Privacy Commission and is reliant on Second Substitute Senate Bill (2SSB) 5062, which creates the Washington data privacy act.
- Provides that the new Washington State Consumer Data Privacy Commission (Commission) may enter into an inter-agency agreement with the Department of Revenue (Department) for the purpose of compliance.
- This bill is only in effect with the passing of 2SSB 5062.

CURRENT LAW:

Washington does not have a law specifically addressing consumer data privacy rights.

PROPOSAL:

The Washington State Consumer Data Privacy Commission (Commission) is created and provided will the full administrative power, rulemaking, and enforcement authority to implement and enforce the Washington privacy act established under 2SSB 5062.

Beginning January 1, 2024, contingent on an inter-agency agreement between the Commission and the Department, every controller or processor meeting the jurisdictional thresholds :

- Must file a statement showing its gross operating revenue from intrastate operations for the preceding calendar year, and
- Pay the Commission a fee equal to 1/10 of 1% of that revenue.

“Processor” and “controller” are as defined in 2SSB 5062 :

- “Processor” means a natural or legal person who processes personal data on behalf of a controller.
- “Controller” means the natural or legal person that, alone or jointly with others, determines the purposes and means of the processing of personal data.

The jurisdiction threshold is defined in 2SSB 5062 as a controller or processor who :

- During a calendar year, controls, or processes personal data of 100,000 consumers or more, or
- Derives over 25% of gross revenue from the sale of personal data and processes or controls personal data of 25,000 consumers or more.

A controller or processor with gross operating revenue from intrastate operations less than \$20 million in the preceding calendar year are exempt from the annual fee requirement.

The annual fees collected by the Commission may not exceed \$10 million annually.

All receipts from the annual fee must be deposited into the consumer privacy account created under 2SSB 5062.

EFFECTIVE DATE:

This bill is contingent on the passing of 2SSB 5062, effective July 1, 2022.

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 legislation results in no revenue impact to taxes or fees administered by the Department of Revenue (Department).

The Department is not responsible for setting, administering, collecting, or enforcing this fee.

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

ASSUMPTIONS:

- The Department is not responsible for setting, administering, collecting, or enforcing the new fee.
- The Department's sole responsibility for implementation of this legislation is to enter into an inter-agency data sharing agreement with the Commission for compliance purposes.
- All investigation, evaluation, audit, and review of the intrastate gross revenues of effected entities, and fees collected from those entities, will be the sole responsibility of the Commission.
- Data requested from the Department through the data sharing agreement will be data that is available today and is already being extracted from the Department's computer systems quarterly, and this data will meet the needs of the Commission.
- If the Commission requires data that is not currently available, this will require computer system changes and may also require modification of what taxpayers are required to file on the Combined Excise Tax Return. Such costs are not included in this fiscal note and would require a supplemental budget request for funding.
- The Commission is aware that the Department's data does not include revenue specific to data privacy; however, the Department's data will guide the Commission in administration and enforcement of the new fee.

FIRST YEAR COSTS:

The Department will not incur any costs in Fiscal Year 2022.

SECOND YEAR COSTS:

The Department will have minimal costs in Fiscal Year 2023 of approximately \$14,800 for 80 hours by a Program Specialist 5, 80 hours by a Tax Policy Specialist 3, 40 hours for a Contract Specialist 3, and 40 hours by a Program Manager to work with the Commission to enter into an inter-agency data sharing agreement and establish a process for sharing data moving forward. These costs will be absorbed within current funding.

ONGOING COSTS:

Ongoing costs for Fiscal Year 2024 and beyond equal \$1,800 and include similar activities described in the Fiscal Year 2023 costs. Time and effort equates to 16 hours per fiscal year.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

NONE

III. B - Detail: *List FTEs by classification and corresponding annual compensation . Totals need to 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

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

None.

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Revised

| | | |
|--------------------------------|----------------------------|--|
| Bill Number: 1850 2S HB | Title: Data privacy | Agency: 215-Utilities and Transportation Commission |
|--------------------------------|----------------------------|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | 0.0 | 1.0 | 0.5 | 0.4 | 0.0 |
| Account | | | | | |
| Public Service Revolving Account-State 111-1 | 0 | (434,532) | (434,532) | (646,008) | (560,000) |
| Data Privacy Commission-State NEW-1 | 0 | 434,532 | 434,532 | 646,008 | 560,000 |
| Total \$ | 0 | 0 | 0 | 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: Angela Kleis | Phone: 360-786-7469 | Date: 03/03/2022 |
| Agency Preparation: Amy Andrews | Phone: 360-481-1335 | Date: 03/04/2022 |
| Agency Approval: Amy Andrews | Phone: 360-481-1335 | Date: 03/04/2022 |
| OFM Review: Kyle Siefering | Phone: (360) 995-3825 | Date: 03/04/2022 |

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 creates the Washington state consumer data privacy commission (commission) with three governor-appointed commissioners with staggered terms, subsequent terms and appointments are five-year terms. This section also provides the commission with administrative powers, rulemaking authority, and administrative enforcement authority to implement the statute. Sec. 1(6) requires the Utilities and Transportation Commission (UTC) to provide administrative support for the commission.

Sec. 2 details the commission’s authority to investigate complaints, rulemaking authority, technical assistance to the legislature, consult with stakeholders and other state agencies, and requires an analysis of global privacy control mechanisms required by law or regulation in the United States with findings provided to the governor and appropriate committees of the legislature by December 1, 2023. Sec. 2 (1)(j) permits the commission to establish and collect an annual fee.

Sec. 3 prescribes the commission’s administrative enforcement authority and procedures. Subsequent to a hearing and order issued by the commission, Sec. 3 also establishes an administrative fine, by order of the commission, of up to \$2,500 for each violation, or up to \$7,500 for each intentional violation and each violation involving the personal data of a child.

Sec. 4 establishes rules regarding private right of action.

Sec. 5 requires every controller or processor that meets the jurisdictional threshold to pay an annual fee to the commission beginning January 1, 2024, and contingent on an interagency agreement between the commission and department of revenue. Entities with gross intrastate operating revenue less than \$20 million is not required to pay the annual fee. This section limits the aggregate annual fee to \$10 million and permits the commission to tiered annual fee structure based on gross intrastate operating revenues. The annual fee rate may be adjusted each year by general order entered before March 1. Payments made after the due date may be subject to late fees and interest. This section allows the commission to contract with the department of revenue for auditing and reviewing entities’ intrastate gross revenues for compliance purposes. Finally, this section requires all receipts be deposited into the consumer privacy account and limits use of the funds for the operating expenses of the commission.

Sec. 8 provides an effective date of July 31, 2023, for Sec. 3

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 .

The UTC assumes no cash receipts for the Public Service Revolving Account (Fund 111).

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.

Sec. 1 Creation of Data Privacy Commission
\$434,532
FY23 – One time cost

The UTC assumes the commission will employ 13 staff members that will require a service level agreement to define

support responsibilities. Administrative support is assumed to include services typically provided by staff in the UTC's Financial Services, Human Resources, Information Services, and Facilities sections. Expenditures also include one-time costs to onboard staff and provide them with office equipment (such as laptops, monitors, cell phones).

The UTC assumes Sec. 2 requires the development of applications to process consumer complaints and Sec. 5 requires an application to receive/track annual fee submissions. The UTC assumes this is considered administrative support as identified in Sec. 1 and is a one-time cost with work completed during the second half of FY23 and first half of FY24. Sec. 2 also requires the commission to establish an internet website accessible to the public. This work is assumed to be completed by an interagency agreement between the commission and WaTech and outside the scope of UTC administrative support.

Sec. 1, Sec. 2, and Sec. 5

\$366,008 for FY24 (includes the development of the applications described above.)

\$280,000 for FY25-FY27 (ongoing administrative services support)

The UTC assumes the administrative support required for the commission will be similar to that currently provided to the Energy Facility Site Evaluation Council in determining the basis for the ongoing expenditures for FY24 and beyond.

This analysis does not include support for records management (including public records requests), adjudication of complaints, drafting or serving orders, rulemaking processes, or assistance in receiving or responding to consumer inquiries, among other functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|-----------------|----------------------------------|-------|---------|-----------|-----------|-----------|-----------|
| 111-1 | Public Service Revolving Account | State | 0 | (434,532) | (434,532) | (646,008) | (560,000) |
| NEW-1 | Data Privacy Commission | State | 0 | 434,532 | 434,532 | 646,008 | 560,000 |
| Total \$ | | | 0 | 0 | 0 | 0 | 0 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | | 1.0 | 0.5 | 0.4 | |
| A-Salaries and Wages | | 89,187 | 89,187 | 63,709 | |
| B-Employee Benefits | | 31,217 | 31,217 | 22,299 | |
| C-Professional Service Contracts | | | | | |
| E-Goods and Other Services | | 284,128 | 284,128 | 500,000 | 500,000 |
| G-Travel | | 30,000 | 30,000 | 60,000 | 60,000 |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | (434,532) | (434,532) | (646,008) | (560,000) |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 0 | 0 | 0 | 0 | 0 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|------------------------------------|---------|---------|---------|---------|---------|---------|
| Chief Information Officer | 114,768 | | 0.0 | 0.0 | | |
| Consumer Program Specialist 3 | 65,928 | | 0.2 | 0.1 | 0.1 | |
| Deputy Director, CFO | 132,000 | | 0.0 | 0.0 | | |
| Director, Human Resources | 118,572 | | 0.0 | 0.0 | | |
| Executive Director | 135,096 | | 0.0 | 0.0 | | |
| Finance Manager | 93,812 | | 0.0 | 0.0 | | |
| Human Resource Consultant 3 | 70,956 | | 0.1 | 0.1 | | |
| IS Project Manager | 104,292 | | 0.2 | 0.1 | 0.1 | |
| IT App Development - Journey | 96,888 | | 0.3 | 0.2 | 0.2 | |
| Management Analyst 3 | 69,264 | | 0.0 | 0.0 | | |
| Organizational Development Manager | 85,536 | | 0.0 | 0.0 | | |
| Records and Tariff Manager | 92,700 | | 0.0 | 0.0 | | |
| Total FTEs | | | 1.0 | 0.5 | 0.4 | 0.0 |

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

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

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

| | | |
|--------------------------------|----------------------------|--|
| Bill Number: 1850 2S HB | Title: Data privacy | Agency: SWF-SWF Statewide Fiscal Note - OFM |
|--------------------------------|----------------------------|--|

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

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

Estimated Operating Expenditures from:

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | 0.0 | 7.8 | 3.9 | 13.0 | 13.0 |
| Account | | | | | |
| Consumer Privacy Account-State New-1 | 0 | 2,053,959 | 2,053,959 | 4,964,416 | 4,878,408 |
| Total \$ | 0 | 2,053,959 | 2,053,959 | 4,964,416 | 4,878,408 |

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: Angela Kleis | Phone: 360-786-7469 | Date: 03/03/2022 |
| Agency Preparation: Kathy Cody | Phone: 360-480-7237 | Date: 03/08/2022 |
| Agency Approval: Jamie Langford | Phone: (360) 870-7766 | Date: 03/08/2022 |
| OFM Review: Kyle Siefering | Phone: (360) 995-3825 | Date: 03/08/2022 |

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 second substitute bill makes the following substantial changes:

Provisions that establish consumer data rights, define obligations for controllers and processors, require annual registration by controllers and processors, and authorize the Attorney General to enforce violations under the Consumer Protection Act are removed.

Instead, the Washington State Consumer Data Privacy Commission (Commission) is vested with the authority to implement and enforce E2SSB 5062, which addresses the removed provisions. The new version also staggers the terms of commissioners, removes specificities around the Commission's rulemaking requirements, changes requirements regarding data privacy regulation and entities to consult and cooperate with, requires establishment and maintenance of a publicly accessible website providing information on annual registration requirements, and alters effective dates.

Narrative:

Section 1

Creates and vests the Commission with administrative powers, rule-making authority, and administrative enforcement authority of E2SSB 5062. The three-member Commission created under this section is specified to have staggered 5-year terms. The Commission may appoint an executive director and employ all staff necessary to carry out its duties. The Utilities and Transportation Commission (UTC) must provide all administrative staff support for the Commission.

Section 2

Gives the Commission rule making authority, and specifies the required functions of the Commission, including providing guidance for consumers, providing technical assistance and advice to the legislature, monitoring developments relating to protecting personal data, cooperating with jurisdictions with similar data privacy protections, conducting an analysis of global privacy control mechanisms due to the Governor and the legislature December 1, 2023, establishing and collecting annual fees, and establishing and maintaining a website available to the public with information provided by controllers. The Commission may consult with the Office of Privacy and Data Protection, order controllers or providers to provide information, and subpoena witnesses.

Section 3

Grants the Commission authority to investigate alleged violations and to impose fines and penalties, depositing all fines into the Consumer Privacy Account. The Commission is directed to issue letters to controllers or processors it believes to be in violation of this bill or rules adopted by the Commission.

Section 5

Beginning January 1, 2024, imposes an annual fee of 0.1% of gross operating revenue on every data controller or data processor that is required to register with the Commission, exempting controllers or processors with gross operating revenues from intrastate operations below \$20 million. Fees may not exceed, in aggregate, \$10 million annually, and the Commission may reduce or increase by rule the percentage of intrastate gross operating revenue that is used to determine the annual fee. Annual receipts from the fee must be deposited into the Consumer Privacy Account. Gross revenue information submitted is confidential and privileged. The Commission or any other person may not disclose any statement or related information.

Section 8

Provides an effective date of July 31, 2023, for Section 3 of the bill.

Section 9

Creates a contingency that this bill only takes effect should E2SSB 5062 be enacted.

Section 10

Adds a null and void clause.

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.

Assumptions for this analysis assume the creation of the Data Privacy Account under E2SSB 5062, into which all revenues under this bill would be deposited.

Section 3 provides that, beginning July 31, 2023, the Commission, after an administrative hearing, may issue an administrative fine against a controller or processor of up to \$2,500 for each violation, or up to \$7,500 for each intentional violation and each violation involving the personal data of a minor for violation of rules promulgated by the Commission.

Beginning January 1, 2024, Section 5 imposes an annual fee of 0.1% of gross operating revenue on every data controller or data processor that is required to register with the Commission, exempting controllers or processors with gross operating revenues from intrastate operations below \$20 million. Fees may not exceed, in aggregate, \$10 million annually, and the Commission may reduce or increase by rule the percentage of intrastate gross operating revenue that is used to determine the annual fee.

The historical regulatory knowledge to estimate the number of entities subject to the bill that are required to pay annual registration fees as required by Section 5 is unknown. It is also not known what percentage of gross operating revenue would be chosen by the Commission for the fee, though it is understood that the Commission would be limited to not charge more than 0.1% of a controller of processor's gross operating revenue, and that aggregate fee collections would not exceed \$10 million. Finally, it is not possible to estimate the number of complaints and potential penalties that could be assessed as permitted under Section 3. Therefore, the cash receipts for the Consumer Privacy Account created are indeterminate.

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.

Washington State Consumer Data Privacy Commission (Commission) Personnel

\$1,298,427 for FY 23

\$1,897,204 for FY 24-27 (ongoing)

The Commission will be composed of three commissioners appointed by the Governor with the advice and consent of the Senate. The Commission may appoint an executive director, and may employ staff as necessary to carry out the Commission's duties. This analysis assumes that commissioners will be appointed at the beginning of FY 23, followed by the appointment of an executive director after an interview period, and finally the onboarding of the full staff over time. It is assumed that a full staff of 13, including commissioners, would be necessary to enforce the requirements of this bill. However, depending on the rules the Commission adopts for itself, the role of the Commission may expand, which would necessitate more staffing.

The assumed staffing for the commission would include:

Commissioners (3)

Executive Director

Administrative Law Judge

Administrative Assistant

Policy Advisor

Regulatory Analyst

Investigators (2)
 Consumer Protection Specialist
 Records Management Specialist
 Communications Consultant

UTC Administrative Staff Support
 \$434,532 for FY 23
 \$366,008 for FY 24
 \$280,000 for FY 25-27 (ongoing)

The Washington Utilities and Transportation Commission (UTC) is directed to provide all administrative staff support for the Commission. It is assumed that these services would be provided by the UTC Financial Services, Human Resources, Information Services, and Facilities sections, and that the Commission and the UTC would execute a service level agreement between the commission and UTC to clarify responsibilities. One-time costs would occur during FY 23 and FY 24 as staff are onboarded and registration and consumer complaint applications are developed. The Commission would pay for services from the UTC at cost.

Attorney General’s Office Costs
 \$262,000 for FY 23-27 (ongoing)

Legal services associated with the enactment of this bill will be provided to the Commission by the Attorney General’s Office (AGO). As a client agency, the Commission will be billed for legal services rendered by the AGO. It is assumed that the AGO will provide 1.00 Assistant Attorney General and 0.50 Legal Assistant.

Information Technology Services Costs
 \$59,000 for FY 23

The Commission will require assistance from the Office of Financial Management (OFM) Information Technology Services Division to add the Commission to the state enterprise systems. It is estimated that will result in a one-time cost billed by OFM to the Commission in FY 23.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account | Account Title | Type | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------|--------------------------|-------|---------|-----------|-----------|-----------|-----------|
| New-1 | Consumer Privacy Account | State | 0 | 2,053,959 | 2,053,959 | 4,964,416 | 4,878,408 |
| Total \$ | | | 0 | 2,053,959 | 2,053,959 | 4,964,416 | 4,878,408 |

III. B - Expenditures by Object Or Purpose

| | FY 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years | | 7.8 | 3.9 | 13.0 | 13.0 |
| A-Salaries and Wages | | 883,284 | 883,284 | 2,581,230 | 2,581,230 |
| B-Employee Benefits | | 309,149 | 309,149 | 903,430 | 903,430 |
| C-Professional Service Contracts | | | | | |
| E-Goods and Other Services | | 426,994 | 426,994 | 833,748 | 833,748 |
| G-Travel | | | | | |
| J-Capital Outlays | | | | | |
| M-Inter Agency/Fund Transfers | | | | | |
| N-Grants, Benefits & Client Services | | | | | |
| P-Debt Service | | | | | |
| S-Interagency Reimbursements | | 434,532 | 434,532 | 646,008 | 560,000 |
| T-Intra-Agency Reimbursements | | | | | |
| 9- | | | | | |
| Total \$ | 0 | 2,053,959 | 2,053,959 | 4,964,416 | 4,878,408 |

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 2022 | FY 2023 | 2021-23 | 2023-25 | 2025-27 |
|----------------------------------|---------|---------|---------|---------|---------|---------|
| AA4 | 56,856 | | 0.6 | 0.3 | 1.0 | 1.0 |
| Administrative Law Judge | 111,996 | | 0.6 | 0.3 | 1.0 | 1.0 |
| Commissioner | 149,028 | | 3.0 | 1.5 | 3.0 | 3.0 |
| Communications Consultant 4 | 72,756 | | 0.3 | 0.2 | 1.0 | 1.0 |
| Consumer Protection Specialist 3 | 47,844 | | 0.3 | 0.2 | 1.0 | 1.0 |
| Executive Director | 131,160 | | 0.8 | 0.4 | 1.0 | 1.0 |
| Investigator 4 | 78,412 | | 0.7 | 0.3 | 2.0 | 2.0 |
| Policy Advisor | 109,284 | | 0.6 | 0.3 | 1.0 | 1.0 |
| Records Management Specialist | 47,844 | | 0.3 | 0.2 | 1.0 | 1.0 |
| Regulatory Analyst 3 | 90,883 | | 0.6 | 0.3 | 1.0 | 1.0 |
| Total FTEs | | | 7.8 | 3.9 | 13.0 | 13.0 |

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

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

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 2 will require rule changes.