

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5425 SB	<b>Title:</b> Fire sprinkler contractors	<b>Agency:</b> 225-Washington State Patrol
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## 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 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.5	1.5	1.5	1.5	1.5
<b>Account</b>					
Fire Protection Contractor License Account-State 210-1	256,142	219,737	475,879	439,474	439,474
<b>Total \$</b>	256,142	219,737	475,879	439,474	439,474

### 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.

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## Part II: Narrative Explanation

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

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

The proposed legislation will have a fiscal impact to the Washington State Patrol (WSP).

Section 1 increases fees for contractors installing, inspecting, maintaining and servicing NFPA 13-D fire sprinkler systems from \$100 to \$125, and for NFPA 13-R systems from \$300 to \$375, but Section 1(B) delays the fee increases until 2028.

Section 2 removes penalties received under RCW 18.160.120 from the receipts deposited into the Fire Protection Contractor License Account (210).

Section 3(1) increases the fine range for infractions of rule as defined under RCW 18.16.030 (2) (b) (iii) from not less than \$200 and not more than \$5,000 to not less than \$300 and not more than \$7,500 for the first infraction, not less than \$400 and not more than \$10,000 for a second infraction, and not less than \$1,000 and not more than \$15,000 for the third and any subsequent infractions by the same contractor.

Section 3(2) increases the fine range for infractions for failure to obtain a certificate of competency under RCW 18.160.040 from not less than \$1,000 and not more than \$5,000 to not less than \$1,500 and not more than \$7,500 for the first infraction, not less than \$2,500 and not more than \$10,000 for a second infraction, and not less than \$5,000 and not more than \$25,000 for the third and any subsequent infractions by the same contractor.

Section 3(3) directs fines collected under the section be deposited into the Fire Protection Compliance Account.

New Section 4 creates and defines the Fire Protection Compliance Account.

Section 5(2)(a) adds the requirement that a person issued a training certificate for fire sprinkler fitting work be supervised on the jobsite and under the control of a residential or journey-level fire protection sprinkler fitter certified to perform the work being done. Subsections (i) and (ii) require this supervision to be at a one-to-one ratio.

Section 5(2)(b) makes it a violation for a contractor to allow a trainee to perform sprinkler fitting work without one-to-one supervision.

Section 6 changes permissive language 'may' to mandatory language 'must' regarding the investigation of alleged violations of RCW 18.270 upon the receipt of a complaint and requires WSP to adopt rules to provide procedures and processes for, as well as a form to use when submitting a complaint.

### II. B - Cash receipts Impact

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

The full impact of the proposed legislation to cash receipts will not be known until after rulemaking is complete.

The proposed legislation increases the cost structure of fees and fines related to Chapter 18.160 RCW Fire Sprinkler System Contractors, creates the Fire Protection Compliance Account, and moves the deposit of fines collected under the chapter from the Fire Protection Contractor License Account (210) to the new Fire Protection Compliance Account.

The changes in the distribution of revenue for fines is expected to reduce revenues to the Fire Protection Contractor License Account (210). Due to the delay in implementing the new fee levels authorized in the proposed legislation until 2028, this decrease will only be partially offset by the expected addition of Level 1 and Level 2 licensing fees for fire

protection sprinkler fitter trainees. As a result, we expect to see a decrease of \$15,000 per biennium in revenue to the Fire Protection Contractor License Account (210), with \$18,000 per biennium in revenue to the new Fire Protection Compliance Account. This will be insufficient to support the required work.

**II. C - Expenditures**

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

Section 6 requires the WSP to investigate potential violations of Chapter 18.270 RCW upon receipt of a complaint. The capacity to support this increase does not exist at current staffing levels and additional FTEs will be required.

We estimate that the enforcement responsibilities in the proposed legislation will require an additional one (1) Deputy State Fire Marshal FTE and one-half (0.5) Office Assistant 3 FTE. The estimated cost is approximately \$256,142 in the first fiscal year and \$219,736 per fiscal year ongoing.

Additional rulemaking will also be required as a result of this proposed legislation. Rulemaking within the WSP requires input from various individuals including the Government and Media Relations Captain and Legislative Analyst, the impacted division, the Bureau Commander for the impacted bureau, the Risk Management Division Commander, and the Chief or his designee.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We compute estimated support expenditures such as supplies & materials, communications, computer costs (hardware and software), vehicle and vehicle operating costs, among others, using average costs to support agency FTEs. We adjust the estimated support costs to reflect the needs of individual divisions or positions within the agency.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 31.88 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

The costs associated with legislative rule making are dependent upon the individuals working on the effort and how much time is required of each, but generally include the Government and Media Relations staff (8.5 hours), Subject Matter Expert (SME – 40 hours), and various reviewers (16 hours). The estimated agency cost for rule making on this legislation would be approximately \$6,350 and will be absorbed within current resources.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
210-1	Fire Protection Contractor License Account	State	256,142	219,737	475,879	439,474	439,474
<b>Total \$</b>			256,142	219,737	475,879	439,474	439,474

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.5	1.5	1.5	1.5	1.5
A-Salaries and Wages	102,852	102,852	205,704	205,704	205,704
B-Employee Benefits	41,237	41,237	82,474	82,474	82,474
C-Professional Service Contracts					
E-Goods and Other Services	14,298	12,606	26,904	25,212	25,212
G-Travel	3,600	3,600	7,200	7,200	7,200
J-Capital Outlays	41,940	7,766	49,706	15,532	15,532
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Agency Indirect Costs	52,215	51,676	103,891	103,352	103,352
<b>Total \$</b>	<b>256,142</b>	<b>219,737</b>	<b>475,879</b>	<b>439,474</b>	<b>439,474</b>

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Deputy State Fire Marshal	80,952	1.0	1.0	1.0	1.0	1.0
Office Assistant 3	43,800	0.5	0.5	0.5	0.5	0.5
<b>Total FTEs</b>		<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

Rulemaking is required as follows:

- Section 1: WAC 212-080-073;
- Section 3: WAC 212-080-212;
- Section 5: WAC 212-090-018, WAC 212-90-093, WAC 212-90-205



# Ten-Year Analysis

<b>Bill Number</b> 5425 SB	<b>Title</b> Fire sprinkler contractors	<b>Agency</b> 225 Washington State Patrol
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

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

## Estimated Cash Receipts

Name of Tax or Fee	Acct Code											
<b>Total</b>												

### Biennial Totals

## Narrative Explanation (Required for Indeterminate Cash Receipts)

The full impact of the proposed legislation to cash receipts will not be known until after rulemaking is complete.

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