

Multiple Agency Fiscal Note Summary

Bill Number: 5211 SB	Title: Firearms/purchase & transfer
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	364,000	0	0	978,000	0	0	1,276,000
Washington State Patrol	0	0	5,000,000	0	0	10,000,000	0	0	10,000,000
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Department of Licensing	(828,000)	(828,000)	(828,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)
Total \$	(828,000)	(828,000)	4,536,000	(1,656,000)	(1,656,000)	9,322,000	(1,656,000)	(1,656,000)	9,620,000

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	13,900	13,900	13,900	.0	0	0	0	.0	0	0	0
Office of the Governor	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	1.2	0	0	364,000	3.2	0	0	978,000	4.1	0	0	1,276,000
Washington State Patrol	28.6	3,489,104	3,489,104	8,489,104	39.0	1,512,871	1,512,871	11,512,871	39.0	1,810,871	1,810,871	11,810,871
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Licensing	.0	291,000	291,000	291,000	.0	0	0	0	.0	0	0	0
Total \$	29.8	3,794,004	3,794,004	9,158,004	42.2	1,512,871	1,512,871	12,490,871	43.1	1,810,871	1,810,871	13,086,871

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other			1,984,837			1,190,928			1,190,928
Local Gov. Other	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Local Gov. Total			1,984,837			1,190,928			1,190,928

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of the Governor	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

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Prepared by: Tiffany West, OFM	Phone: (360) 890-2653	Date Published: Final
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Judicial Impact Fiscal Note

Bill Number: 5211 SB	Title: Firearms/purchase & transfer	Agency: 055-Administrative Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

STATE	FY 2024	FY 2025	2023-25	2025-27	2027-29
State FTE Staff Years					
Account					
General Fund-State 001-1	13,900		13,900		
State Subtotal \$	13,900		13,900		
COUNTY	FY 2024	FY 2025	2023-25	2025-27	2027-29
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2024	FY 2025	2023-25	2025-27	2027-29
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

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 for 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.

Contact	Phone:	Date: 01/13/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/19/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/19/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/24/2023

178,962.00

Request # 059-1

Form FN (Rev 1/00)

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Bill # 5211 SB

Part II: Narrative Explanation

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

This bill would enhance requirements for purchasing or transferring firearms by requiring purchasers to receive a permit to purchase firearms, complete firearm safety training, and fulfill a 10-day waiting period. It also prohibits firearm transfers prior to the completion of a background check. Lastly, this bill updates and creates consistency in firearm transfer and background check procedure.

II. B - Cash Receipts Impact

None

II. C - Expenditures

There is no fiscal impact on the courts because court's role has not been changed with this statute.

The fiscal impact to the Administrative Office of the Courts is for updating court forms. Other impacts are expected be minimal and within current agency budget or planned within current contracts to complete updates to the case management systems (both Superior Court Odyssey and Courts of Limited Jurisdiction's Enterprise Justice) and to provide available firearms data with the Washington State Patrol.

COURT FORMS

This bill would impact protection order, weapons surrender, extreme risk protection order, and no-contact order forms. The forms would need to be updated by July 1, 2024 and take approximately 50 hours of work by a Legal Services Senior Analyst and \$10,000 for translations.

Legal Services Senior Analyst. Beginning July 1, 2023 through June 30, 2024, AOC would require salary, benefits, and associated standard costs for 0.02 FTE to update required court forms.

AOC STAFF IMPACTS INCLUDE STANDARD COSTS

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

Goods and Services are the agency average of \$3,800 per direct program FTE.

Travel is the agency average of \$2,500 per direct program FTE.

One-time IT Equipment is \$4,800 for the first fiscal year per direct program FTE. Ongoing Equipment is the agency average of \$1,600 per direct program FTE.

Agency Indirect is calculated at a rate of 24.73% of direct program salaries and benefits.

Part III: Expenditure Detail

178,962.00

Form FN (Rev 1/00)

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Request # 059-1

Bill # 5211 SB

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

State	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
Salaries and Wages	2,300		2,300		
Employee Benefits	700		700		
Professional Service Contracts	10,000		10,000		
Goods and Other Services	100		100		
Travel	100		100		
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements	700		700		
Total \$	13,900		13,900		

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Senior Analyst	114,400	0.0		0.0		
Total FTEs		0.0		0.0		0.0

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

178,962.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 5211 SB	Title: Firearms/purchase & transfer	Agency: 075-Office of the Governor
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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:	Phone:	Date: 01/13/2023
Agency Preparation: Tracy Sayre	Phone: 360-890-5279	Date: 01/16/2023
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 01/16/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/16/2023

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.

Senate Bill 5211 is by request of Office of the Governor. There is no fiscal impact to the Office of the Governor.

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.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals 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

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.

Individual State Agency Fiscal Note

Revised

Bill Number: 5211 SB	Title: Firearms/purchase & transfer	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Revolving Account-State 405-1	18,000	346,000	364,000	978,000	1,276,000
Total \$	18,000	346,000	364,000	978,000	1,276,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	2.2	1.2	3.2	4.1
Account					
Legal Services Revolving Account-State 405-1	18,000	346,000	364,000	978,000	1,276,000
Total \$	18,000	346,000	364,000	978,000	1,276,000

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:	Phone:	Date: 01/13/2023
Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 01/24/2023
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 01/24/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/24/2023

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.

Section 1 makes several amendments to RCW 9.41.090, relating to the obligations of a firearms dealer, including making it unlawful to deliver a firearm until a firearms permit is issued; and relating to the obligations of a firearms purchaser to apply with a dealer for the purchase of a firearm.

Section 2 adds a new section to RCW 9.41, authorizing people to apply for a firearms permit with the Washington State Patrol (WSP) firearms background check program, setting forth application requirements as well as the WSP's authority to deny and revoke such applications.

Section 3 adds a new section to RCW 9.41, regarding the requirement to provide a certificate of completion of a certified firearms safety training program within the last five years as part of a firearms permit application, including minimum standards for that training.

Section 4 makes minor amendments to RCW 43.43.590, relating to the state firearms background check system account managed by the state treasurer.

Section 5 adds a new section to RCW 43.43, requiring WSP to establish a program to provide certified firearms safety training.

Section 6 amends RCW 9.41.047, relating to WSP's authority to revoke a firearms permits based on convictions, commitments, and person whose charges are dismissed based on incompetency to stand trial.

Section 7 amends RCW 9.41.049, relating to WSP's authority to suspend a firearms permit where persons detained under RCW 71.05.

Section 8 amends RCW 9.41.092, relating to a licensed dealer's obligation to withhold a firearms pending a background check and a ten day waiting period from the date the dealer requested the background check.

Section 9 amends RCW 9.41.094, relating to a firearms application's waiver of confidentiality.

Section 10 amends RCW 9.41.097, relating to the requirement for the health care authority and health care facilities to supply information relevant to a person's eligibility to possess a firearm.

Section 11 amends RCW 9.41.0975, relating to governmental immunity for issuing firearms permits, and authorizing a writ of mandamus regarding WSP's approval of firearms applications.

Section 12 amends RCW 9.41.110, relating to a firearms dealer's licensing obligations.

Section 13 amends RCW 9.41.1135, relating to a firearms dealer's use of the WSP firearms background check program.

Section 14 amends RCW 9.41.345, relating to the obligations for a law enforcement agency returning a firearm.

Section 15 amends RCW 9.41.270, making it illegal to hold a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons in an intimidating manner.

Section 16 amends RCW 9.41.280, making it illegal to have a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons on school grounds.

Section 17 amends RCW 9.41.282, making it illegal to have a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons in childcare facilities.

Section 18 amends RCW 9.41.284, making it illegal to have a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons in facilities linked to voting or student engagement.

Section 19 amends RCW 9.41.800, relating to a court's obligation to order the surrender of, and prohibition against having, a firearms permit under certain circumstances.

Section 20 amends RCW 9.41.801, relating to service of court orders that require the surrender of firearms permits.

Section 21 makes technical amendments to RCW 9.41.802, relating to the administrative officer of the courts' form for surrender of firearm permits.

Section 22 makes a technical amendments to RCW 9.41.804.

Section 23 makes a technical amendments to RCW 9.41.815.

Section 24 makes technical amendments to RCW 7.105.305, relating to civil protection orders.

Section 25 makes technical amendments to RCW 7.105.310, relating to civil protection orders.

Section 26 makes technical amendments to RCW 7.105.330, relating to civil protection orders.

Section 27 makes technical amendments to RCW 7.105.335, relating to civil protection orders.

Section 28 makes technical amendments to RCW 7.105.340, relating to civil protection orders.

Section 29 makes amendments to RCW 7.105.350, relating to WSP's authority to revoke a firearm permit upon receipt of any extreme risk civil protection order.

Section 30 makes technical amendments to RCW 7.105.570, relating to civil protection orders.

Section 31 makes a technical amendments to RCW 10.31.100, relating to arrests without warrants.

Section 32 makes technical amendments to RCW 10.99.030, relating to the law enforcement response to domestic violence.

Section 33 makes technical amendments to RCW 10.99.033, relating to the law enforcement response to domestic violence.

Section 34 makes technical amendments to RCW 10.99.040, relating to the law enforcement response to domestic violence.

Section 35 makes technical amendments to RCW 11.130.257, relating to guardianships and conservatorships.

Section 36 makes a technical amendments to RCW 26.09.060, relating to protection orders in dissolution proceedings.

Section 37 makes technical amendments to RCW 71.05.182, relating to a six-month suspension of the right to possess firearms after detention relating to a behavioral health disorders.

Section 38 makes technical amendments to RCW 72.23.080, relating to voluntary patients in state hospitals.

Section 39 repeals a statutory provision.

Section 40 provides an effective date of July 1, 2024.

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.

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 agencies are the Department of Licensing (DOL) and Washington State Patrol (WSP). 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:

DOL will be billed for Seattle rates:

FY 2024: \$3,000 for 0.01 Assistant Attorney General (AAG) FTE and 0.01 Legal Assistant 3 (LA) FTE and in each FY thereafter.

WSP will be billed for Seattle rates:

FY 2024: \$15,000 for 0.06 AAG FTE and 0.03 LA FTE.

FY 2025: \$343,000 for 1.27 AAG FTE and 0.64 LA FTE.

FY 2026: \$437,000 for 1.62 AAG FTE and 0.81 LA FTE.

FY 2027: \$535,000 for 1.99 AAG FTE and 0.99 LA FTE.

FY 2028: \$635,000 for 2.36 AAG FTE and 1.18 LA FTE in each FY thereafter.

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.

Attorney General's Office (AGO) Agency Assumptions:

Legal services associated with the enactment of this bill will begin on July 1, 2024.

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

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

Agency administration support FTE are included in the tables, for every 1.0 Assistant Attorney General (AAG) FTE, the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of a Management Analyst 5 (MA). The MA is used as a representative classification.

Assumptions for the AGO Criminal Justice Division's (CRJ) Legal Services for Washington State Patrol (WSP):

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

This bill would create a new requirement for an individual to obtain a permit before being able to purchase a firearm. Although the permit to purchase would be in addition to the background check already required in existing law, the requirements for obtaining a permit would be substantially the same or similar to the existing standards for a background check. One notable additional requirement to obtain a permit is that an individual must first complete a firearms training program that is certified by WSP. A permit would valid for a period of five years, unless revoked.

Section 5 of the bill would require WSP to establish a program to provide certifications for firearms safety training programs that meet the requirements contained in section 3 of the bill.

Although we do not anticipate that this would be a heavily regulated program, we assume that WSP would seek legal advice during the establishment of the program, and that the advice would be provided by CRJ as follows: 45 AAG hours in FY 2024 and ten AAG hours per year beginning in FY 2025. Additionally, we assume that most training programs currently in operation would seek certification within the first two years (FY 2024 and FY 2025), and that applicants denied certification and would be entitled to a hearing under the Administrative Procedure Act, which would be handled by GCE. However, because a denial of a training certification could be easily cured by amending the instructional components of the program, we assume that GCE would only receive no more than 1 new litigation referral in each of FY 2024 and FY 2025, which would utilize 30 AAG hours in each of those years.

Section 2 of this bill would establish the permitting program within the WSP firearm background check program, and sets forth both the requirements for obtaining a permit and the bases upon which a permit could be denied. Subsection 2(7) would require the WSP to provide written notice of the grounds upon which a permit was denied. Section 2 would also require the WSP to develop a process to verify on an annual basis that permit holders continue to meet the eligibility requirements for a permit, and if no longer eligible, to revoke the permit. Subsection 2(14) would require WSP to provide written notice of a permit revocation.

We assume that WSP would seek legal advice relating to the development of rules for the permitting program. We further assume that the advice would be provided by CRJ in FY 2024 and would generate 25 AAG hours of new work in that year.

Section 11 would allow an individual whose application for a permit was denied or whose permit was revoked to seek a writ of mandamus in a court of competent jurisdiction. The court would be required to provide an expedited hearing and an individual who was granted a writ of mandamus would be entitled to reasonable attorneys' fees and costs.

Although it is unclear whether the drafters intended for a writ of mandamus to be the sole remedy for a denial or revocation of a permit, for the following reasons we assume it is. Mandamus is an extraordinary remedy that is not available for actions reviewable under the Administrative Procedure Act (APA). If the drafters intended the permit denials and revocations to be reviewable under the APA, all administrative remedies would have to be exhausted before mandamus could be sought. This would conflict with the language in section 11, which seems to give any party the right to seek mandamus as an initial matter. Additionally, if the administrative process had to be exhausted first, there would be no need for an expedited hearing on a mandamus action. Also, unlike a court, most constitutional issues could not be decided in an APA action, and we anticipate the denial or revocation of a permit to purchase a firearm likely would raise constitutional issues. Therefore, for purposes of this fiscal note response, we assume that the drafters intended to foreclose APA review of denials and revocations in favor of a right to seek mandamus.

The program to issue permits to purchase firearms would first need to be created; therefore, WSP assumes that it would begin issuing permits in FY 2025 and would begin annual permit reviews in FY 2026.

WSP assumes that they would receive approximately 200,000 applications for permits to purchase firearms beginning in FY 2025 and continuing each year thereafter. These assumptions are based on the historic rate of annual concealed pistol permit applications received by WSP. Like the permit to purchase firearms created by this bill, concealed pistol permits require a background check and are valid for a period of five years.

Based on information compiled with the assistance of its federal law enforcement partners, during 2022 WSP received approximately 502,000 firearm background check requests. Of those requests, 5,426 were denied, resulting in a denial rate of approximately 1 percent. In 2022, WSP's federal law enforcement partners experienced an appeal rate of approximately 25 percent of its denials (460 of 1,700 denials were appealed). WSP assumes that it would experience similar denial and appeal rates for permits to purchase firearms. Therefore, we assume that 1 percent of the 200,000 applications or 2,000 annual applications would be denied, and of those 2,000 denials, 25 percent or 500 applicants would seek to challenge their denials.

Because some of the conditions that may result in ineligibility to purchase a firearm are temporary in nature and may be subject to correction, WSP assumes that it would create an informal internal appeal process, similar to that created for firearm background check denials. WSP further assumes that approximately 85 percent of the applicants seeking to challenge their denials would avail themselves of that process exclusively, and that the remaining 15 percent of the denied applicants would pursue a legal challenge as allowed by section 11 of this bill. Therefore, in FY 2025 and thereafter, 15 percent of 500 denials or 75 denials would be challenged in court.

We assume that each mandamus action would utilize an average of 30 AAG hours to litigate to completion, resulting in the following new work: FY 2025 and each year thereafter – 2,250 AAG hours (75 x 30).

Beginning in FY 2026, WSP would begin annual permit reviews. WSP assumes that denials from annual reviews would occur at a lower rate than upon initial application and that approximately 0.5 percent of existing permit holders would be revoked on an annual basis. WSP assumes that the revocations of permits would experience a lower rate of appeals than the initial denials because many of the individuals would have already purchased a firearm by the time their permit was revoked, and that only 15 percent of the revocations would appeal. Finally, as with the initial denials, WSP assumes that of the appeals, the majority would be resolved through an informal process, with the remaining 15 percent seeking to challenge the revocation in court, as allowed by section 11 of this bill. Therefore, in FY 2026 198,000 issued permits would yield approximately 990 revocations, with 148 of those revocations seeking to appeal, and 22 of those seeking to litigate their actions in court. In FY 2027 395,010 issued permits would yield approximately 1,975 revocations, with 296 of those revocations seeking to appeal, and 44 of those seeking to litigate their actions in court. In FY 2028 591,093 issued permits would yield approximately 2,955 revocations, with 443 of those revocations seeking to appeal, and 66 of those seeking to litigate their actions in court.

As with the denials, we assume that each revocation action would utilize an average of 30 AAG hours to litigate to completion, resulting in the following new work: FY 2026 – 660 AAG hours (22 x 30); FY 2027 – 1,320 AAG hours (44 x 30); FY 2028 – 1,980 AAG hours (66 x 30).

We assume that WSP would seek legal advice relating to the development of rules for the permitting program. We further assume that the advice would be provided by CRJ in FY 2024 and would generate 25 AAG hours of new work in that year.

FY 2024 - 100 AAG hours (45 + 30 + 25)
FY 2025 – 2,290 AAG hours (10 + 30 + 2,250)
FY 2026 – 2,920 AAG hours (10 + 2,250 + 660)
FY 2027 – 3,580 AAG hours (10 + 2,250 + 1,320)
FY 2028 – 4,240 AAG hours (10 + 2,250 + 1,980) and in each FY thereafter.

CRJ: Total Seattle workload impact:
FY 2024: \$15,000 for 0.06 AAG FTE and 0.03 LA FTE.
FY 2025: \$343,000 for 1.27 AAG FTE and 0.64 LA FTE.
FY 2026: \$437,000 for 1.62 AAG FTE and 0.81 LA FTE.
FY 2027: \$535,000 for 1.99 AAG FTE and 0.99 LA FTE.

FY 2028: \$635,000 for 2.36 AAG FTE and 1.18 LA FTE and in each FY thereafter.

Assumptions for the AGO Licensing & Administrative Law Division (LAL) Legal Services for the Department of Licensing (DOL).

The enactment of this bill will not impact the provision of legal services to the DOL because it does not impose additional duties or responsibilities upon the DOL. While the proposed bill primarily imposes a new firearms purchase permit framework, implements a new consolidated background check system, and firearms purchaser training requirements, the WSP, not DOL has responsibility for the changes. It is possible that LAL would be asked for legal advice regarding interpretation of law, that a licensee would challenge an automatic revocation based on a sale without a permit or LAL would be asked to answer constituent correspondence, especially prior to and immediately after the bill becomes effective.

LAL: Total Seattle workload impact:

FY 2024: \$3,000 for 0.01 AAG FTE and 0.01 LA FTE and in each FY thereafter.

The AGO Solicitor General’s Office, Complex Litigation, and Administrative Divisions has reviewed this bill and determined it will not significantly increase or decrease the division’s workload.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
405-1	Legal Services Revolving Account	State	18,000	346,000	364,000	978,000	1,276,000
Total \$			18,000	346,000	364,000	978,000	1,276,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	2.2	1.2	3.2	4.1
A-Salaries and Wages	12,000	232,000	244,000	656,000	856,000
B-Employee Benefits	4,000	74,000	78,000	209,000	272,000
E-Goods and Other Services	2,000	38,000	40,000	107,000	140,000
G-Travel		2,000	2,000	6,000	8,000
Total \$	18,000	346,000	364,000	978,000	1,276,000

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 2024	FY 2025	2023-25	2025-27	2027-29
Assistant Attorney General-Seattle	124,635	0.1	1.3	0.7	1.8	2.4
Legal Assistant 3-Seattle	67,044	0.0	0.7	0.4	0.9	1.2
Management Analyst 5	91,524	0.0	0.3	0.2	0.5	0.6
Total FTEs		0.1	2.2	1.2	3.2	4.1

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Criminal Justice Division (CRJ)	15,000	343,000	358,000	972,000	1,270,000
Licensing & Administrative Law Division (LAL)	3,000	3,000	6,000	6,000	6,000
Total \$	18,000	346,000	364,000	978,000	1,276,000

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

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.

Individual State Agency Fiscal Note

Bill Number: 5211 SB	Title: Firearms/purchase & transfer	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
State Firearms Backgrd Check System Acct-Non-Appropriated 24T-6		5,000,000	5,000,000	10,000,000	10,000,000
Total \$		5,000,000	5,000,000	10,000,000	10,000,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	18.3	39.0	28.6	39.0	39.0
Account					
General Fund-State 001-1	2,875,668	613,436	3,489,104	1,512,871	1,810,871
State Firearms Backgrd Check System Acct-Non-Appropriated 24T-6	0	5,000,000	5,000,000	10,000,000	10,000,000
Total \$	2,875,668	5,613,436	8,489,104	11,512,871	11,810,871

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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:	Phone:	Date: 01/13/2023
Agency Preparation: Michael Middleton	Phone: (360) 596-4072	Date: 01/25/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/25/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/27/2023

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 has an indeterminate fiscal impact to the Washington State Patrol (WSP).

New Section 2(2) requires an applicant for a permit to purchase firearms to submit to the WSP Firearms Background Check Program, a completed permit application, a complete set of fingerprints, a certificate of completion of a certified firearms safety training program, and applicable application fee.

New Sections 2(6) and 2(7) require us to issue a permit to the applicant or provide written notification of denial of permit to the applicant.

New Section 2(9) requires us to develop procedures to annually verify permit holders remain eligible to possess firearms.

New Section 2(12) requires us to send renewal notices to permit holders approximately 90 days prior to permit expiration date.

New Section 2(14) requires us to revoke an existing permit upon occurrence of any act or condition that would prevent issuance of a permit.

New Section 5 requires us to establish a program to provide certifications of firearm safety training programs to meet the requirements in new Section 3.

Amended Section 11(2) allows applicants to contest if they claim a permit to purchase firearms was wrongfully denied.

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.

Projected cash receipts are indeterminate as we are unable to determine how many permit applications might be submitted annually.

For illustrative purposes, we will assume 200,000 permit applications processed annually starting with the first year of program implementation, FY2025. We assume original and renewal permit fees to be \$25, resulting in \$5M of cash receipts annually.

Applying the assumed volume and the cap of \$25 per application will result in a negative variance between revenue and projected expenditures at the example volume of permit applications until a possible fee adjustment could be applied.

New Section 2(11)(b)(ii) allows us to adjust permit fees on a biennial basis through biennial cost studies five years after the effective date of this section.

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.

Projected expenditures are indeterminate. For illustrative purposes we will use the same annual 200,000 application volume to estimate contributing costs.

Section 2 will require a new operating unit within our Centralized Firearm Background Check (CFBC) program to meet the required permit application documentation handling, review, verification, and notification processes. This work will be done by 38 FTEs: 1 WMS 3 (Unit Coordinator), 4 Management Analyst 4, 4 Management Analyst 3, 28 Correctional Records Technicians, and 1 IT System Administration-Journey. Our plan, costed out in FY2024, would be a phased hiring approach for training and preparation purposes. Per subsection 2(2), our new requirements entail receiving completed firearms permit application, a complete set of fingerprints, and a certificate of completion of a certified firearms safety training program along with the applicable application fee (\$25 maximum per subsection 2(11)(b)(i)). Upon processing the permit application, per applicable subsections 2(6) or 2(7), we would issue the permit or provide notification of denial. Additionally, we are required to develop procedures to conduct annual verifications of permit holders' continued eligibility to possess firearms (per section 2(9)), and if, during the conduct of annual verifications, a permit holder is found to have an occurrence of any action or condition that would prevent permit issuance, per subsection 2(14), we are to revoke the existing permit. Finally, subsection 2(11)(a) stipulates that permits are valid for five years, at which point the holders are eligible to seek renewals. Per subsection 2(12), within approximately 90 days of permit expiration, we are to notify permit holders, in writing, the opportunity to renew their permit.

Section 5 will require 1.0 Management Analyst 3 (MA3) to act as training program certification coordinator in establishing program processes that certify, track, and communicate the status of firearm training programs delivered across the state. The coordinator position would be responsible for maintaining procedures and the overall system function through which trainers apply for certification. The coordinator would also maintain a website listing of certified programs and act as customer support for current and prospective trainers as well as addressing general public inquiries. The certification program will be part of the CFBC program currently under development within WSP.

Subsection 11(2) will require the Attorneys General Office (AGO) to provide legal representation for us. The AGO estimated costs to us at \$343,000 for FY2025, \$437,000 for FY2026, \$535,000 for FY2027 and \$635,000 for FY2028 and thereafter. This has been included in the costs listed in the table of this fiscal note. We also included \$15,000 in FY 2024 for the AGO to assist us with setting up and maintaining the training certification program identified in Section 5.

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 funding allocation for this fiscal note is derived by applying the full amount of projected cash receipts from the State Firearm Background Account funds (24T-6) and the remaining expenditure balance requested from General Fund-State (001-1).

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	2,875,668	613,436	3,489,104	1,512,871	1,810,871
24T-6	State Firearms Backgrd Check System Acct	Non-Appropriated	0	5,000,000	5,000,000	10,000,000	10,000,000
Total \$			2,875,668	5,613,436	8,489,104	11,512,871	11,810,871

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	18.3	39.0	28.6	39.0	39.0
A-Salaries and Wages	1,190,226	2,470,176	3,660,402	4,940,352	4,940,352
B-Employee Benefits	471,594	994,402	1,465,996	1,988,804	1,988,804
C-Professional Service Contracts	40,000	20,000	60,000	40,000	40,000
E-Goods and Other Services	353,476	797,376	1,150,852	1,880,752	2,178,752
G-Travel	24,300	49,200	73,500	98,400	98,400
J-Capital Outlays	204,400	71,175	275,575	142,350	142,350
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs	591,672	1,211,107	1,802,779	2,422,213	2,422,213
Total \$	2,875,668	5,613,436	8,489,104	11,512,871	11,810,871

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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
Correctional Records Technician	55,872	12.3	28.0	20.1	28.0	28.0
IT System Administration - Journey	105,060	0.5	1.0	0.8	1.0	1.0
Management Analyst 3	71,520	2.8	5.0	3.9	5.0	5.0
Management Analyst 4	82,896	1.8	4.0	2.9	4.0	4.0
WMS 3	111,516	1.0	1.0	1.0	1.0	1.0
Total FTEs		18.3	39.0	28.6	39.0	39.0

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

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.

Individual State Agency Fiscal Note

Bill Number: 5211 SB	Title: Firearms/purchase & transfer	Agency: 240-Department of Licensing
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-State 001-1		(828,000)	(828,000)	(1,656,000)	(1,656,000)
Total \$		(828,000)	(828,000)	(1,656,000)	(1,656,000)

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
Account					
General Fund-State 001-1	291,000	0	291,000	0	0
Total \$	291,000	0	291,000	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:	Phone:	Date: 01/13/2023
Agency Preparation: Gina Rogers	Phone: 360-634-5036	Date: 01/16/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 01/16/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/16/2023

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.

See attached fiscal note

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.

See attached fiscal note

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.

See attached fiscal note

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	291,000	0	291,000	0	0
Total \$			291,000	0	291,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	291,000		291,000		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	291,000	0	291,000	0	0

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals 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

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.

See attached fiscal note

Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: SB 5211

Bill Title: Firearms/purchase and transfer

Part 1: Estimates

No Fiscal Impact

Estimated Cash Receipts:

Revenue	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	-	(828,000)	(828,000)	(1,656,000)	(1,656,000)
Account Totals		-	(828,000)	(828,000)	(1,656,000)	(1,656,000)

Estimated Expenditures:

		FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years		-	-	-	-	-
Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	291,000	-	291,000	-	-
Account Totals		291,000	-	291,000	-	-

The revenue 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 the fiscal impact is **less than \$50,000** per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- 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.
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Edie Adams	Phone: (360)	Date:
Agency Preparation: Gina Rogers	Phone: (360) 634-5036	Date: 1-14-23
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	1
Bill #	5211

Part 2 – Explanation

2.A – Brief Description Of What The Measure Does That Has Fiscal Impact

This bill removes the ability for DOL to collect a fee from firearms dealers for each semi-automatic rifle (SAR) purchase or transfer. Additionally, it directs WSP to transmit firearm transfer application data from their SAFE system to DOL requiring a new data interface.

2.B - Cash receipts Impact

There will be a loss in revenue as the fee will not be collected by Department of Licensing.

Revenue	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	-	(828,000)	(828,000)	(1,656,000)	(1,656,000)
Account Totals		-	(828,000)	(828,000)	(1,656,000)	(1,656,000)

2.C – Expenditures

Information Services:

The agency will use appropriated funds to hire contract programmers to accomplish this work or to support current staff implementing this legislation within the required timeline. Appropriated funds may also be used to hire agency temporary staff to support permanent staff assigned to this legislative effort.

Any change requires a process to ensure changes are correctly applied to the system. This involves Project Managers that manage the team that completes the update, business analyst that documents and reviews the system changes, architect services that analyzes how the update could have an effect on other systems or DOL processes, developers who create the change, and testers and quality assurance teams that ensure the update is working correctly.

Cost Category	Description	Rate	2024	2025	2026	2027	2028	2029	Total Cost
TESTER	Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.	\$ 22,620	58,800	-	-	-	-	-	58,800
BUSINESS ANALYST	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	\$ 16,530	11,600	-	-	-	-	-	11,600
PROJECT MANAGER	Manage schedule and contracts	\$ 28,710	17,200	-	-	-	-	-	17,200
QUALITY ASSURANCE	Plan and carry out activities to assure project deliverables; e.g. preventative defect activities, align quality measures and business objectives.	\$ 37,410	44,900	-	-	-	-	-	44,900
SECURITY AND ARCHITECT SERVICES	Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design.	\$ 16,530	6,600	-	-	-	-	-	6,600
DEVELOPERS	Modify programming and coding to all major systems	\$ 19,140	65,100	-	-	-	-	-	65,100
Trainer	Trains business partners and employees in new system processes and capabilities.	\$ 22,620	15,800	-	-	-	-	-	15,800
Organizational Change Management	Prepares stakeholders for the change and develops strategies to ensure the changes are fully adopted.	\$ 37,410	44,900	-	-	-	-	-	44,900
Project Contingency	Office of the Chief Information Officer designated rate of 10%	\$ 25,474	26,500	-	-	-	-	-	26,500
Totals			291,400	-	-	-	-	-	291,400

Part 3 – Expenditure Detail

3.A – Operating Budget Expenditures

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	291,000	-	291,000	-	-
Account Totals		291,000	-	291,000	-	-

Information Services will:

Create an interface that allows the WSP SAFE system to send firearm transfer data to DOL’s firearms system electronically.

Update DOL firearms system logic to consume data from WSP SAFE system.

Create file to send firearms dealer license status data to WSP.

Remove process to accept \$18 SAR fee.

Disable access for Firearms Dealers to Firearms Online.

3.B – Expenditures by Object or Purpose

Object of Expenditure	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Goods and Services	291,000	-	291,000	-	-
Total By Object Type		291,000	-	291,000	-

3.C – FTE Detail

Staffing	Salary	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Total FTE		0.0	0.0	0.0	0.0	0.0

Part 4 – Capital Budget Impact

None.

Part 5 – New Rule Making Required

Rulemaking is required to amend WAC 308-500-010 to remove the requirement for firearms dealers to charge an \$18 fee for all purchases and transfers of semiautomatic assault rifles (SARs).

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 5211 SB

Title: Firearms/purchase & transfer

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

Cities: Police departments could incur an estimated \$1,270,296 in staffing expenditures during the first year and potentially \$381,09 in estimated costs each year thereafter for new fingerprinting requirements.

Counties: Sheriff's Offices could incur an estimated \$714,541 in staffing expenditures during the first year and potentially \$214,367 estimated costs each year thereafter for new fingerprinting requirements.

Special Districts:

Specific jurisdictions only:

Variance occurs due to: The number of people living in police or sheriffs' jurisdictions who will purchase a firearm.

Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs:

Legislation provides local option:

Key variables cannot be estimated with certainty at this time: The number of people who will purchase a firearm.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City		1,270,296	1,270,296	762,194	762,194
County		714,541	714,541	428,734	428,734
TOTAL \$		1,984,837	1,984,837	1,190,928	1,190,928
GRAND TOTAL \$					4,366,693

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 01/27/2023
Leg. Committee Contact:	Phone:	Date: 01/13/2023
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/27/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/27/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

Sec. 2 adds a new section to RCW 9.41. An applicant for a permit to purchase firearms must submit to the Washington State Patrol firearms background check program documents including a complete set of fingerprints taken by the local law enforcement agency in the jurisdiction in which the applicant resides.

Sec. 28 amends RCW 7.105.340. A law enforcement officer serving any extreme risk protection order under this chapter, shall request that the respondent immediately surrender a permit to purchase firearms issued under section 2 of this act. At the time of surrender, a law enforcement officer taking possession of a firearm, concealed pistol license, or permit to purchase firearms shall issue a receipt identifying all firearms that have been surrendered and provide a copy of the receipt to the respondent. The law enforcement agency shall transfer a surrendered permit to purchase firearms to the Washington state patrol firearms background check program.

Sec. 32. RCW 10.99.030. The primary duty of peace officers, when responding to a domestic violence situation, is to enforce the laws allegedly violated and to protect the complaining party. The peace officer shall:

- separate the parties and then inquire of the victim whether the alleged abuser has an active concealed pistol license or permit to purchase firearms.

- document all information permits to purchase firearms in the incident report.

- give each person immediate notice of the legal rights and remedies available. The notice shall be modified to include information about court orders concerning permits to purchase firearms.

Sec. 33 amends RCW 10.99.033. The Criminal Justice Training Commission shall include in its basic law enforcement curriculum information on understanding the risks of traumatic brain injury posed by domestic violence.

Sec. 40 establishes that this act takes effect July 1, 2024.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

The legislation would cause an indeterminate increase in expenditures for local law enforcement agencies because it would create a new requirement for people to get a permit to purchase a firearm, and part of that permit would require the applicant to be fingerprinted. For the purpose of this fiscal note, current data is used to estimate future potential cost impacts, which have been entered in the expenditure grid. Note that because the legislation requires permit applicants to be fingerprinted in the jurisdiction where they live, costs have been divided to reflect the percentage of the population that resides in the city (64%) and the percent that resides in the county (36%), according to Washington Association of Sheriffs and Police Chiefs' 2022 Full Time Law Enforcement Employee Count. However, the number of people who will apply for a permit to purchase a firearm cannot be predicted, so the exact cost impacts are indeterminate.

Local law enforcement could incur first year costs of \$1,984,837 as a result of increased staffing costs, and an estimated \$595,464 each year thereafter as a result of the legislation's new permit to purchase a firearm which would require fingerprinting.

Currently, there is no requirement that a person obtain a permit to purchase firearms. By creating the permit and requiring that a person seeking to obtain such a permit have their fingerprints taken at the local law enforcement agency where they live, it requires local law enforcement agencies to take fingerprints where they currently don't.

It is assumed that the bill requires local law enforcement agencies to take fingerprints and remit them to the Washington

State Patrol (WSP), and does not require local law enforcement to 'run' the fingerprints or get a return.

If the assumption is correct, WASPC estimates it will take approximately 15 minutes of clerical, non-commissioned staff time to take a person's fingerprints. According to the Association of Washington Cities' Salary and Benefits Survey, the average hourly pay for a police or sheriff's clerk is \$43 per hour. At this rate, a clerk could fingerprint four people per hour.

FINGERPRINTING:

Local law enforcement could incur first year costs of \$1,984,837 as a result of increased staffing costs, and an estimated \$595,464 each year after the first year as a result of the legislation.

LGFN assumes that all people who purchase firearms will apply for the legislation's proposed permit the first year that permits are required to purchase a gun. Based on the Department of Licensing's (DOL) four year average, 184,636 people purchase firearms each year (based on driver's license numbers), so it is fair to anticipate 184,636 people on average will apply for the permit the first year that it is required. Each year after the first year, WASPC assumes 36,928 to 73,855 new permit applications (around 20%-40% of the first year's permit applications) will come in as new applications. Lastly, WASPC does not anticipate another big influx of fingerprints in year five because the bill says that on-time renewals will not require fingerprints to be taken again (but late renewals will).

1st YEAR POTENTIAL COST IMPACTS:

Based on the above estimates, the first year's potential cost impacts could be \$1,984,837 and are estimated below.

- 184,636 permit seekers requiring fingerprints x 0.25 (15 minutes per fingerprinting) = 46,159 hours.
- 46,159 hours for new fingerprints x \$43 per hour (police or sheriff's clerk's wage) = \$1,984,837 first year staff costs to implement the legislation.

ANNUAL POTENTIAL COST IMPACT AFTER 1ST YEAR:

WASPC anticipates around 20%-40% of that first year number of permit applicants coming in as new applications each year after the first year, which is 36,928 to 73,855 applications per year. For each year after the first year, cost could range from \$396,976 to \$793,952. The midpoint between these numbers is \$595,464.

MINIMUM COSTS PER YEAR:

- 36,928 permit seekers requiring fingerprints x 0.25 (15 minutes per fingerprinting) = 9,232 hours
- 9,232 hours for new fingerprints x \$43 per hour (police or sheriff's clerk's wage) = \$396,976 staff costs each year after the first year.

MAXIMUM COSTS PER YEAR:

- 73,855 permit seekers requiring fingerprints x 0.25 (15 minutes per fingerprinting) = 18,464 hours
- 18,464 hours for new fingerprints x \$43 per hour (police or sheriff's clerk's wage) = \$793,952 staff costs each year after the first year.

MIDPOINT:

The midpoint in staff costs per year after the first year is \$595,464.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

The legislation would not impact local governments' revenue.

SOURCES:

Federal Bureau of Investigation's National Instant Check System
Washington Association of Sheriffs and Police Chiefs
Washington State Department of Licensing



Multiple Agency Ten-Year Analysis Summary

Bill Number 5211 SB	Title Firearms/purchase & transfer
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This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

Estimated Cash Receipts

	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Administrative Office of the Courts	0	0	0	0	0	0	0	0	0	0	0
Office of the Governor	0	0	0	0	0	0	0	0	0	0	0
Office of Attorney General	0	0	0	0	0	0	0	0	0	0	0
Washington State Patrol Indeterminate Impact	0	0	0	0	0	0	0	0	0	0	0
Department of Licensing	0	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-7,452,000
Total	0	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-828,000	-7,452,000



Ten-Year Analysis

Bill Number 5211 SB	Title Firearms/purchase & transfer	Agency 055 Administrative Office of the Courts
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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

Name of Tax or Fee	Acct Code												
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Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 1/19/2023 6:14:49 pm
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 1/19/2023 6:14:49 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5211 SB	Title Firearms/purchase & transfer	Agency 075 Office of the Governor
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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**

Name of Tax or Fee	Acct Code												
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Agency Preparation: Tracy Sayre	Phone: 360-890-5279	Date: 1/16/2023 12:59:56 pm
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 1/16/2023 12:59:56 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5211 SB	Title Firearms/purchase & transfer	Agency 100 Office of Attorney General
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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**

Name of Tax or Fee	Acct Code												
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Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 1/24/2023 5:24:58 pm
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 1/24/2023 5:24:58 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5211 SB	Title Firearms/purchase & transfer	Agency 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											
Total												

Biennial Totals

Narrative Explanation (Required for Indeterminate Cash Receipts)

Projected cash receipts are indeterminate as we are unable to determine how many permit applications might be submitted annually.

Subsection 2(11)(b)(i) authorizes the WSP Firearms Background Check Program to establish fees for all original and renewal firearm permit applications and stipulates th the set fee is to cover program costs incurred but shall not exceed \$25. Five years after the effective date of the legislation we are permitted to conduct rates studies and apply fee adjustments, on a biennial basis that will cover realized or anticipated cost increases.

For illustrative purposes, we will assume 200,000 permit applications processed annually starting with the first year of program implementation, FY2025. With the fee set \$25 the resulting cash receipts would be \$5M annually.

After program implementation and analysis of true permit application volumes we will have better projections for annual cash receipts. Additionally, upon completion of ou first rate study, we will be able to identify, if necessary, a fee adjustment to meet realized or anticipated costs.

Agency Preparation: Michael Middleton	Phone: (360) 596-4072	Date: 1/25/2023 7:31:03 pm
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 1/25/2023 7:31:03 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5211 SB	Title Firearms/purchase & transfer	Agency 240 Department of Licensing
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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	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Semi-Automatic Rifle Fee	001		(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(7,452,000)
Total			(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(7,452,000)
Biennial Totals			(828,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(7,452,000)

Narrative Explanation (Required for Indeterminate Cash Receipts)

This bill would remove the semi-automatic rifle fee currently collected by Department of Licensing and replace it with a permit to purchase firearms fee collected by Washington State Patrol (see attached fiscal note).

Agency Preparation: Gina Rogers	Phone: 360-634-5036	Date: 1/16/2023 11:49:45 an
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 1/16/2023 11:49:45 an
OFM Review:	Phone:	Date: