

Multiple Agency Fiscal Note Summary

Bill Number: 5427 SB	Title: Hate crimes & bias incidents
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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 State Treasurer	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Office of Attorney General	0	0	934,000	0	0	1,064,000	0	0	1,064,000
Total \$	0	0	934,000	0	0	1,064,000	0	0	1,064,000

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
Office of State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	7.9	3,127,000	3,127,000	4,061,000	9.0	3,302,000	3,302,000	4,366,000	9.0	3,302,000	3,302,000	4,366,000
Total \$	7.9	3,127,000	3,127,000	4,061,000	9.0	3,302,000	3,302,000	4,366,000	9.0	3,302,000	3,302,000	4,366,000

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
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
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Cheri Keller, OFM	Phone: (360) 584-2207	Date Published: Final
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Individual State Agency Fiscal Note

Bill Number: 5427 SB	Title: Hate crimes & bias incidents	Agency: 090-Office of State Treasurer
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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:

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: Tim Ford	Phone: 786-7423	Date: 01/27/2023
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 01/30/2023
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 01/30/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/30/2023

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.

SB 5427 creates the Washington hate crime and bias incident account, coupled with the general fund as the recipient of the earnings from investments under RCW 43.79A.040(4).

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 flows are currently unavailable; therefore, estimated earnings from investments are indeterminable.

There may be an impact on the debt service limitation calculation. Changes to the earnings credited to the general fund impacts, by an equal amount, general state revenues.

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

Bill Number: 5427 SB	Title: Hate crimes & bias incidents	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	402,000	532,000	934,000	1,064,000	1,064,000
Total \$	402,000	532,000	934,000	1,064,000	1,064,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	6.8	9.0	7.9	9.0	9.0
Account					
General Fund-State 001-1	1,476,000	1,651,000	3,127,000	3,302,000	3,302,000
Legal Services Revolving Account-State 405-1	402,000	532,000	934,000	1,064,000	1,064,000
Total \$	1,878,000	2,183,000	4,061,000	4,366,000	4,366,000

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: Tim Ford	Phone: 786-7423	Date: 01/27/2023
Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 02/01/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/01/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/02/2023

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: Adds a section to RCW 43.10, requiring the Attorney General's Office (AGO) to oversee a hate crimes and bias incidents hotline, that: accepts reports on hate crimes and bias incidents; provides crisis intervention, information, and referrals; and is accessible to Washington residents regardless of language proficiency. Requires the AGO to develop an intake process, identify local service providers for referral purposes, reviews hate crimes and bias incidents data, and by July 1, 2026 and annually thereafter provides information on hate crimes and bias incidents to the Governor, the Legislature, and to the public (via the AGO website). Other miscellaneous provisions are included relating to the reporting of hate crimes and bias incidents information by the AGO and law enforcement agencies. Defines "bias incident", "hate crime", and other terms.

Section 2: Adds a section to RCW 43.10, creating the hate crime and bias incident compensation program within the AGO, to compensate persons affected by hate crimes and bias incidents, and requiring the AGO to create a claim form and other procedures and rules for the program. Authorizes the AGO to compensate up to \$2,000 per person, per incident.

Section 3: Adds a section to RCW 43.10, creating the Washington hate crime and bias incident account in the custody of the State Treasurer, to include funds appropriated by the Legislature and all other funds provided for the purpose of compensating persons affected by hate crimes and or bias incidents. The account is subject to allotment procedures but an appropriation is not required for expenditure.

Section 4: Amends RCW 42.56.240, exempting information provided under Section 1(2)(b) of the bill, relating to the personal identifying information of persons reporting hate crimes and or bias incidents, from disclosure under the Public Records Act.

Section 5: Provides that the bill does not create or limit any private right of action.

Section 6: Provides that if specific funding for the bill is not provided by June 30, 2023, the bill is null and void.

Section 7: Provides an effective date of January 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.

The Attorney General's Office (AGO) assumes new costs for the Financial Services Division (FIS) and the Information Services Division (ISD) activities that will be distributed among all legal services client agencies following the enactment of this bill. Cost of FIS and ISD activities are billed as part of AGO overhead. AGO overhead is billed to all clients proportionate to service levels provided. It is the AGO standard practice to spread these type of costs pro-rata through the Legal Services component of the Central Service Model (CSM). Not including these costs in the Legal Services component of the CSM is putting the Legal Services Revolving Account out of balance.

AGO Administrative Division activities are funded with General Fund-State dollars. No cash receipt impact. There is no client agency to bill for legal services.

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:

This bill is provides an effective date of January 1, 2024.

Location of staffing is assumed to be in Seattle and non-Seattle office buildings.

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

1. The Attorney General's Office (AGO) Financial Services Division (FIS) has reviewed this bill and determined the following impact related to the enactment of this bill:

This bill will require the AGO to make payments to victims of hate and bias incidents. New work would include managing contracts, payment processing, tax reporting, financial reporting, tracking and monitoring payments for accuracy and fraud, developing an invoice template, and developing policies and procedures. In addition, the AGO would have to competitively contract with a vendor for a hate crimes hotline.

FIS total FTE workload impact for non-Seattle rates:

FY 2024: \$180,000 for 0.75 Fiscal Analyst 3 FTE (FA3) and 0.75 Management Analyst 5 FTE (MA5).

FY 2025: \$238,000 for 1.0 FA3 and 1.0 MA5, and each FY thereafter.

2. The AGO Administrative Division (ADM) has reviewed this bill and determined the following impact related to the enactment of this bill:

ADM assumes enactment of this bill will require 1.0 Policy Analyst (Exempt) FTE (PA) to develop statewide outreach strategy, manage staff, develop marketing plans, multilingual plans for education, and training objectives for public and law enforcement. 1.0 PA FTE for outreach execution with local service providers and law enforcement. 1.0 FTE PA as an analyst for report writing, training curriculum, policy development, and data analysis. 2.0 Customer Service and Call Center Oversight staff (CSCCO) to oversee and manage the intake of calls from across the state during regular business hours, and provide resources as mandated by the bill.

Direct costs include:

Marketing, advertising campaigns, outreach materials and publications, and training budget. All materials will need to be available in the many spoken and written languages in Washington State. Additionally, telecommunication charges for call center and interactive voice response licenses, which include call center agents, setup, and initial configuration.

AGO will be required to contract with a vendor for a Hate Crimes Hotline (Hotline) that will be staffed during business hours (regular business hours, Monday through Friday). There will be a need for bilingual customer service representatives, or translation services will be required. Hotline will be outsourced, but managed by the AGO ADM. FY 2024 will include initial setup and implementation. Costs will be ongoing each FY thereafter. Cost estimates are based on Oregon State's similar program.

ADM total FTE workload impact for Seattle rates:

FY 2024: \$1,476,000 for 2.25 PA, 1.5 CSCCO, and direct costs of \$957,000.

FY 2025: \$1,651,000 for 3.0 PA, 2.0 CSCCO and direct costs of \$959,000 and each FY thereafter.

3. The AGO Information Services Division (ISD) has reviewed this bill and determined the following impact related to the enactment of this bill:

ISD assumes enactment of this bill will require 1.0 Application Development – Journey Level FTE (ADJL), to develop an online intake system and a new system within internal systems to process online intakes as well as intakes from Hotline and potentially paper and or email. Additionally, ADJL will develop reporting for annual reports, system to publish information from internal system to the website and or a publically available open data platform. The ADJL will develop an online claim processing system to process the online claim forms. This process will be able to accept forms via paper and or email, track status, repeat claims, and internal and compliance reporting.

ISD assumes enactment of this bill will require 1.0 Project Manager – Journey level FTE (PMJL) to facilitate meetings in order to elicit business and technical software requirements from stakeholders, determine high-level risks that can affect the project schedule or budget, identify risks and mitigation plan, conduct quality control to ensure project stays on the project plan, implement any Information Technology Security, and risk responses that occur in the project. Additionally, PMJL will communicate project status with sponsor, stakeholders, and project team members.

ISD total FTE workload impact for non-Seattle rates:

FY 2024: \$222,000 for 0.75 ADJL, 0.75 PMJL.

FY 2025: \$294,000 for 1.0 ADJL, 1.0 PMJL, and each FY thereafter.

4. The AGO Civil Rights Division (CRD) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload. The enactment of this bill will not impact the provision of legal services by CRD because it would not house the hotline intake or response work assigned to the AGO. CRD may support ADM and other AGO divisions that lead the work with legal advice. Such advice is considered nominal and costs are not included in this request.

AGO total workload impact for Seattle and non-Seattle rates:

FY 2024: \$1,878,000 for 0.75 FA3, 0.75 MA5, 2.25 PA, 1.5 CSCCO, 0.75 ADJL, 0.75 PMJL, and direct costs of \$957,000.

FY 2025: \$2,183,000 for 1.0 FA3, 1.0 MA5, 3.0 PA, 2.0 CSCCO, 1.0 ADJL, 1.0 PMJL, and direct costs of \$959,000 and each FY thereafter.

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	1,476,000	1,651,000	3,127,000	3,302,000	3,302,000
405-1	Legal Services Revolving Account	State	402,000	532,000	934,000	1,064,000	1,064,000
Total \$			1,878,000	2,183,000	4,061,000	4,366,000	4,366,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	6.8	9.0	7.9	9.0	9.0
A-Salaries and Wages	627,000	836,000	1,463,000	1,672,000	1,672,000
B-Employee Benefits	197,000	261,000	458,000	522,000	522,000
C-Professional Service Contracts	844,000	859,000	1,703,000	1,718,000	1,718,000
E-Goods and Other Services	131,000	173,000	304,000	346,000	346,000
G-Travel	4,000	4,000	8,000	8,000	8,000
N-Grants, Benefits & Client Services	75,000	50,000	125,000	100,000	100,000
Total \$	1,878,000	2,183,000	4,061,000	4,366,000	4,366,000

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
Call Center Staff	95,000	1.5	2.0	1.8	2.0	2.0
Fiscal Analyst 3	64,788	0.8	1.0	0.9	1.0	1.0
IT APP DEVELOPMENT - JOURNE	100,032	0.8	1.0	0.9	1.0	1.0
IT PROJECT MANAGEMENT - JOURNEY	105,060	0.8	1.0	0.9	1.0	1.0
Management Analyst 5	91,524	0.8	1.0	0.9	1.0	1.0
Policy Analyst (Exempt)	95,000	2.3	3.0	2.6	3.0	3.0
Total FTEs		6.8	9.0	7.9	9.0	9.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Division (ADM)	1,476,000	1,651,000	3,127,000	3,302,000	3,302,000
Financial Services Division (FIS)	180,000	238,000	418,000	476,000	476,000
Information Services Division (ISD)	222,000	294,000	516,000	588,000	588,000
Total \$	1,878,000	2,183,000	4,061,000	4,366,000	4,366,000

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.