# **Multiple Agency Fiscal Note Summary**

Bill Number: 1614 HB

Title: Home cultivation of cannabis

# **Estimated Cash Receipts**

NONE

Agency Name	2023	-25	2025	-27	2027-29		
	GF- State	Total	GF- State	Total	GF- State	Total	
Local Gov. Courts	No fiscal impac	t					
Loc School dist-SPI							
Local Gov. Other							
Local Gov. Total							

## **Estimated Operating Expenditures**

Agency Name		2	2023-25			2	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	(	0	0	.0	0	0	0	.0	0	0	0
Liquor and Cannabis Board	1.1	(		294,241	1.1	0	0	267,846	1.1	0	0	267,846
Washington State Patrol	Non-zei	o but indeteri	ninate cost and/o	or savings. Pl	ease see	discussion.						
University of Washington	.0	(	0 0	0	.0	0	0	0	.0	0	0	0
Washington State University	.0	(	0 0	0	.0	0	0	0	.0	0	0	0
Eastern Washington University	.0	(	0	0	.0	0	0	0	.0	0	0	0
Central Washington University	.0	(	0 0	0	.0	0	0	0	.0	0	0	0
The Evergreen State College	.0	(	0 0	0	.0	0	0	0	.0	0	0	0
Western Washington University	.0	(	0	0	.0	0	0	0	.0	0	0	0
Department of Fish and Wildlife	.0	(	) 0	0	.0	0	0	0	.0	0	0	0
Total \$	1.1	(	0 0	294,241	1.1	0	0	267,846	1.1	0	0	267,846
Agency Name			2023-25				2025-27			2027-2	29	
		FTEs	GF-State	Total	FT	Es GF-	State	Total	FTEs	GF-State	Total	
Local Gov. Cour	ts	No fiscal impact										
Loc School dist-	SPI											
Local Gov. Othe				570,5								
Local Gov. Othe	r		on to the estir al fiscal note.	nate above	, there	are additio	nal indetern	ninate costs	and/or	savings. Plea	ase see	
Local Gov. Total	1			570,	550							

# **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		
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0		
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0		
University of Washington	.0	0	0	.0	0	0	.0	0	0		
Washington State University	.0	0	0	.0	0	0	.0	0	0		
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0		
Central Washington University	.0	0	0	.0	0	0	.0	0	0		
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0		
Western Washington University	.0	0	0	.0	0	0	.0	0	0		
Department of Fish and Wildlife	.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	No fis	cal impact	-						
Loc School dist-SPI									
Local Gov. Other	Non-z	ero but indeterm	inate cost and	l/or savi	ngs. Please see	e discussion.			
Local Gov. Total									

# **Estimated Capital Budget Breakout**

Prepared by: Amy Hatfield, OFM	Phone:	Date Published:
	(360) 280-7584	Final 2/13/2023

# **Judicial Impact Fiscal Note**

Home cultivation of cannabis

art I: Estimates		
No Fiscal Impact		
Estimated Cash Receipts to:		
NONE		
NONE		
Estimated Expenditures from:		
NONE		
stimated Capital Budget Impact:		
NONE		
<ul> <li>The revenue and expenditure estimates on this page represent the most lissubject to the provisions of RCW 43.135.060.</li> <li>Check applicable boxes and follow corresponding instructions:</li> <li>If fiscal impact is greater than \$50,000 per fiscal year in the curve Parts I-V.</li> <li>If fiscal impact is less than \$50,000 per fiscal year in the curve Capital budget impact, complete Part IV.</li> </ul>	urrent biennium or in subsequent biennia,	complete entire fiscal note f
Legislative Contact Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/27/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/27/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/30/2023

180,611.00

**Bill Number:** 

1614 HB

Title:

Form FN (Rev 1/00)

Agency: 055-Administrative Office of

the Courts

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

The bill (relating to home cultivation of cannabis) would create new civil infractions. Allows a prosecuting attorney to decline to prosecute a violation in situations where prosecution would serve no public purpose or would defeat the purpose of the law.

#### II. B - Cash Receipts Impact

None

#### II. C - Expenditures

No fiscal impact expected to the Administrative Office of the Courts. Minor fiscal impact is expected to the courts for potential, small increase in infractions.

## Part III: Expenditure Detail

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

NONE III. B - Expenditure By Object or Purpose (County) NONE III. C - Expenditure By Object or Purpose (City) NONE III. D - FTE Detail NONE 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

None

180,611.00

Form FN (Rev 1/00)

Bill Number: 1614 HB	<b>Title:</b> Home cultivation of cannabis	Agency: 195-Liquor and Cannabis Board
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## Part I: Estimates

No Fiscal Impact

**Estimated Cash Receipts to:** 

NONE

#### **Estimated Operating Expenditures from:**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.1	1.1	1.1	1.1	1.1
Account					
Dedicated Cannabis Account-State	160,318	133,923	294,241	267,846	267,846
315-1					
Total \$	160,318	133,923	294,241	267,846	267,846

#### **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:

X 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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	Colin O Neill	Phone: (360) 664-4552	Date: 01/30/2023
Agency Approval:	Aaron Hanson	Phone: 360-664-1701	Date: 01/30/2023
OFM Review:	Amy Hatfield	Phone: (360) 280-7584	Date: 01/30/2023

## 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(7): A person 21 years of age or older may produce or possess no more than six plants on the premises of the housing unit occupied by the person, if the person complies with the requirements of this subsection.

### Section 1(8):

(a) The production, processing, or possession of plants or cannabis from those plants, as authorized in subsection (7) of this section, may not result in cannabis being readily smelled from a public place or the private property of another housing unit.

(b) It is unlawful for a person to produce or possess plants or cannabis from those plants, as otherwise authorized under subsection (7) of this section, if the plants or cannabis are visible within the ordinary public view. For purposes of this subsection, "ordinary public view" means within the sight line with normal visual range of a person, unassisted by any elevating devices, visual aids, or manned or unmanned aircraft, from a public street or sidewalk adjacent to real property, or from within an adjacent property.

Section 1(9)(a): Except as provided in (c) of this subsection, a person who stores or leaves cannabis that was produced on the premises of the person's housing unit in accordance with subsection (7) of this section in a location where the person knows, or reasonably should know, that a person under age 21 may have access to the cannabis:

(i) Is guilty of community endangerment due to unsafe storage of homegrown cannabis in the first degree if a person under age 21 obtains access and possession of the cannabis and is convicted of the crime of driving or being in physical control of a motor vehicle after consuming cannabis under RCW 46.61.503 involving the consumption of the cannabis produced under subsection (7) of this section; or

(ii) Is guilty of community endangerment due to unsafe storage of homegrown cannabis in the second degree if a person under age 21 obtains access and possession of the cannabis and:

(A) The person under age 21 is found in possession of the cannabis off of the premises of the housing unit at which the cannabis was produced; or

(B) The person under age 21 is found to have consumed the cannabis on or off the premises of the housing unit at which the cannabis was grown.

## Section 1(10):

(a) The board may provide mutual law enforcement assistance to a law enforcement agency with primary territorial jurisdiction investigating or enforcing subsections (7) through (9) of this section if such a law enforcement agency requests mutual law enforcement assistance in accordance with chapter 10.93 RCW and under the authority of law. For purposes of this subsection, "mutual law enforcement assistance" and "agency with primary territorial jurisdiction" have the meanings provided in RCW 10.93.020.

(b) Except as provided in (a) of this subsection, the board has no authority or responsibility to investigate or enforce requirements in subsections (7) through (9) of this section. Nothing in this subsection limits the board's authority to enforce state laws related to commercial cannabis production, processing, or sales, when there is evidence of a violation of another provision of this chapter.

## 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.

## ENFORCEMENT DIVISION:

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

The anticipated workload impacts of this bill come from investigations of complaints from the public regarding locations that may be exceeding the number of allowed plants, support and education, and search and seizures from unlicensed locations. Please see the attached "1614 HB Home cultivation of cannabis - Enforcement Field Increment Calculator.pdf" for the workload calculations.

1.0 FTE LCB Enforcement Officer 2 - \$122,849/yr (\$106,989 salary/benefits, \$15,860 in associated costs). Onetime costs in FY24 of \$26,395 for equipment purchases.

0.1 FTE Administrative Regulations Analyst 3 - \$11,074/yr (\$9,488 salary/benefits, \$1,586 in associated costs).

## Part III: Expenditure Detail

#### **III. A - Operating Budget Expenditures**

Account	Account Title	Туре	FY 2024	FY 2025	2023-25	2025-27	2027-29
315-1	Dedicated Cannabis	State	160,318	133,923	294,241	267,846	267,846
	Account						
		Total \$	160,318	133,923	294,241	267,846	267,846

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.1	1.1	1.1	1.1	1.1
A-Salaries and Wages	84,540	84,540	169,080	169,080	169,080
B-Employee Benefits	31,937	31,937	63,874	63,874	63,874
C-Professional Service Contracts					
E-Goods and Other Services	17,711	4,796	22,507	9,592	9,592
G-Travel	16,276	12,276	28,552	24,552	24,552
J-Capital Outlays	9,854	374	10,228	748	748
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	160,318	133,923	294,241	267,846	267,846

**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
Administrative Regulations Analyst 3	75,120	0.1	0.1	0.1	0.1	0.1
LCB Enforcement Officer 2	77,028	1.0	1.0	1.0	1.0	1.0
Total FTEs		1.1	1.1	1.1	1.1	1.1

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Enforcement Division (060)	160,318	133,923	294,241	267,846	267,846
Total \$	160,318	133,923	294,241	267,846	267,846

## 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

Enforcement Field Increment (FI) Calculator 1614 HB: "Home cultivation of cannabis"						
Event	# of events	Time Factor	Staffing Factor	FI Total	Officer	Consultant
Complaint Investigations Cannabis	55	20	1.30	1,430	1,430	
Non RVP Member Support and Education	110	7	1	770	254	516
Search and Seizure	4	51	13	2,652	2,652	
			Total FI's	4,852	4,336	516
Factors	Values	Total Field	Increments per FTE	4,220	4,220	4,220
Complaint Investigations Cannabis	55	FTE's required 1.15 1.03		1.03	0.12	
Non RVP Member Support and Education	110		Round	1.10	1.00	0.10
Search and Seizure	4	- ·				

Bill Number: 1614 HB	Title: Home cultivation of cannabis	Agency: 225-Washington State Patrol
Part I: Estimates No Fiscal Impact		
Estimated Cash Receipts to:		
NONE		

#### **Estimated Operating Expenditures from:**

Non-zero but indeterminate cost 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:

 $\mathbf{X}$  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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	Kendra Sanford	Phone: 360-596-4080	Date: 01/27/2023
Agency Approval:	Mario Buono	Phone: (360) 596-4046	Date: 01/27/2023
OFM Review:	Tiffany West	Phone: (360) 890-2653	Date: 01/27/2023

## 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 creates an indeterminate but potentially significant fiscal impact to the Washington State Patrol (WSP).

Section 1(7) allows a person 21 years of age or older to produce up to six cannabis plants on the premises of their housing unit, subject to production and possession limits and other restrictions and conditions.

Section 3 amends RCW 69.50.505 to state the acquisition, delivery, production, or possession of cannabis, useable cannabis, cannabis concentrates, or cannabis-infused products within the home growth restrictions shall not form a basis of a seizure and forfeiture action.

### 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.

We receive an appropriation from the Dedicated Cannabis Account to investigate illicit cannabis production and diversion. This account is primarily funded through collected excise tax from retail cannabis sales. There may be a decrease to this account if home grown cannabis is allowed.

### 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.

If retail cannabis sales decrease due to home grown cannabis production, there may be a reduction to the Dedicated Cannabis Account (DCA). We receive an appropriation from this account to investigate illicit cannabis production and diversion. If this account decreases, then our appropriation may decrease, which could decrease our Cannabis Enforcement Response Team (CERT).

Currently, we have 10 CERT officers and 1 Data Consultant funded through the DCA, and receive an appropriation of \$2.4M each fiscal year.

There is an indeterminate fiscal impact as investigation time may increase to differentiate between allowable home grown production versus illicit production.

## Part III: Expenditure Detail

## III. A - Operating Budget Expenditures

	Non-zero but indeterminate cost and/or savings. Please see discussion.	
III.	B - Expenditures by Object Or Purpose	_
	Non-zero but indeterminate cost and/or savings. Please see discussion.	]

**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

Home cultivation of cannabis Form FN (Rev 1/00) 180,478.00 FNS063 Individual State Agency Fiscal Note

#### 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

Bill Number: 1614 HB	Title:	Home cultivation of cannabis		Agency: 3	60-University of Washing	gton
Part I: Estimates						
X No Fiscal Impact						
Estimated Cash Receipts to:						
NONE						
<b>Estimated Operating Expenditure</b> NONE	s from:					
Estimated Capital Budget Impact:						
NONE						
The cash receipts and expenditure es and alternate ranges (if appropriate)		this page represent the most likely fisca ned in Part II.	l impact. Factors in	npacting the	precision of these estimates	l,
Check applicable boxes and follow						
If fiscal impact is greater than form Parts I-V.	\$50,000 p	er fiscal year in the current bienniu	m or in subsequer	t biennia, c	complete entire fiscal note	Э
	50,000 per	fiscal year in the current biennium	or in subsequent b	iennia, con	plete this page only (Par	tI)
Capital budget impact, compl	ete Part IV	- 7.	-			ŕ
Requires new rule making, co						
Legislative Contact: Peter Clo	dfelter		Phone: 360-786-	7127	Date: 01/26/2023	
Agency Preparation: Michael I	Lantz		Phone: 2065437	466	Date: 01/31/2023	
Agency Approval: Charlotte	Shannon		Phone: 2066858	868	Date: 01/31/2023	
OFM Review: Ramona N	Nabors		Phone: (360) 742	2-8948	Date: 02/02/2023	

## 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.

House Bill 1614 concerns the home cultivation of cannabis. The measure would authorize individuals 21 years and older to produce or possess up to six cannabis plants in their home, subject to specified restrictions.

There is no fiscal impact to the University of Washington (UW) from this measure. The University of Washington Police Department (UWPD) would be primarily responsible for investigating criminal violations of the measure's provisions on the UW campus. However, no significant increase in workload for the UWPD is expected, as the production or possession of cannabis plants will continue to be prohibited in UW housing.

### 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

Home cultivation of cannabis Form FN (Rev 1/00) 181,176.00 FNS063 Individual State Agency Fiscal Note 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

Bill Number:     1614 HB     Title:     Home cultivation of cannabis     Agend	y: 365-Washington State University
--	---------------------------------------

## **Part I: Estimates**

X 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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	Emily Green	Phone: 5093359681	Date: 02/10/2023
Agency Approval:	Chris Jones	Phone: 509-335-9682	Date: 02/10/2023
OFM Review:	Ramona Nabors	Phone: (360) 742-8948	Date: 02/10/2023

## 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.

HB 1614 - Home cultivation of Cannabis relates to the home cultivation of cannabis.

Section 1 (7) (a)and (b) of this bill allows for a person 21 years of age or older to produce or possess no more than six plants on the premises of the house unit occupied by the person, if the person complies with the limits set in Section 1 (7) (c). "Plants" includes all stalks and roots produced by these plants.

Section 1 (7) (j) states that property owners to prohibit the cultivation of plants by a renter or lessee upon or within the property under the terms of a rental agreement, lease, or other contract.

Section 1 (9) of this bill outlines community endangerment standards in relation to the home cultivation of cannabis.

Section 2 of this bill provides civil infraction punishments for persons who violated home cultivation of cannabis laws.

Federal regulations prohibit the cultivation of cannabis in residence halls. These regulations are followed by Washington State University and would not change as a result of the bill, therefore there is no expected fiscal impact.

#### 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

Bill Number: 1614 HB	<b>Title:</b> Home cultivation of cannabis	Agency: 370-Eastern Washington University
----------------------	--	--

## **Part I: Estimates**

X 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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	Keith Tyler	Phone: 509 359-2480	Date: 01/31/2023
Agency Approval:	Alexandra Rosebrook	Phone: (509) 359-7364	Date: 01/31/2023
OFM Review:	Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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.

HB 1614 amends RCW 69.50.4013 and 7.80.120, and reenacts and amends RCW 69.50.505 and 69.50.101 relating to the home cultivation of cannabis.

• RCW 69.50.4013(1) adds subsections 7-10 establishing legal limitations on home-grown cannabis production, labelling, storage and access, and stipulations on law enforcement assistance provided by the board.

• RCW 7.80.120(2) is amended to include penalties for community endangerment due to unsafe storage of homegrown cannabis

• RCW 69.50.505 is reenacted and amended to establish rules of seizure and forfeiture

EWU police are required to follow federal law in regards to home cultivation of cannabis occuring on campus as EWU dispenses federal financial aid. As such, the passing of this bill will create no fiscal impact for EWU.

### 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

Bill Number:       1614 HB       Title:       Home cultivation of cannabis       Agency:       375-Central University	Washington
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## **Part I: Estimates**

X 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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	Erin Sargent	Phone: 509-963-2395	Date: 01/31/2023
Agency Approval:	Lisa Plesha	Phone: (509) 963-1233	Date: 01/31/2023
OFM Review:	Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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 is amended to add (7) which provides guidance related to the home cultivation of Marijuana including quantities, purpose, use, storage, and other guidelines.

Section 2-4 are amended to incorporate language related to section 1.

Due to marijuana being federally illegal and not allowed in residence halls, this appears to be no impact for Central Washington University.

## 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

Bill Number: 1614 HB	Title: Home cultivation of cannabis	Agency: 376-The Evergreen State College
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## **Part I: Estimates**

X 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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	Daniel Ralph	Phone: 360-867-6500	Date: 01/27/2023
Agency Approval:	Dane Apalategui	Phone: 360-867-6517	Date: 01/27/2023
OFM Review:	Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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.

HB 1614 is related to the home cultivation of cannabis.

This bill applies to the growth of cannabis on private property. Since Evergreen is a recipient of federal funding, the college is bound by federal statutes, and these changes would not apply to law enforcement work conducted by our department. Therefore, there will be no fiscal impact to Evergreen.

## 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

University
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## **Part I: Estimates**

X 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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	Gena Mikkelsen	Phone: 3606507412	Date: 01/27/2023
Agency Approval:	Kimberley Ayre	Phone: 3606503377	Date: 01/27/2023
OFM Review:	Ramona Nabors	Phone: (360) 742-8948	Date: 02/02/2023

## 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 (j) Nothing in this subsection prevents or restricts a property owner from prohibiting the cultivation of plants by a renter or lessee upon or within the property under the terms of a rental agreement, lease, or other contract.

WWU wouldn't be affected by this bill since we have restrictions in place now and would update if necessary.

### 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

Bill Number:       1614 HB       Title:       Home cultivation of cannabis       Agency:       477-Department of Fish Wildlife
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## Part I: Estimates

X 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.

Legislative Contact:	Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Preparation:	David Hoeveler	Phone: 3609701638	Date: 01/31/2023
Agency Approval:	David Hoeveler	Phone: 3609701638	Date: 01/31/2023
OFM Review:	Matthew Hunter	Phone: (360) 529-7078	Date: 01/31/2023

## 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.

No fiscal impact. The proposed legislation changes the storage regulations for home grown cannabis. Although WDFW Officers are fully commissioned, they spend most of their time enforcing natural resource laws. The impact of this proposed legislation to WDFW Officer workload is miniscule.

## 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

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number:	1614 HB	Title:	Home cultivation of cannabis				
Part I: Juri	Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.						
Legislation I	mpacts:						
			ould incur first year training costs totaling \$436,150 plus additional indeterminate to report homegrown marijuana violations.				
X Counties:	Same as above but tra	aining costs	s would total \$134,400.				
Special Dist	ricts:						
Specific juri	Specific jurisdictions only:						
Variance occurs due to:							
Part II: Estimates							
No fiscal in	pacts.						
Expenditure	es represent one-time	costs:					
Legislation	provides local option	:					
X Key variabl	es cannot be estimate	d with certai	ainty at this time: The number of calls law enforcement will receive to report potential violations; the number of law enforcement agencies that will elect the request the Liquor and Cannabis Board mutual law enforcement.				
Estimated reve	enue impacts to:						
None							

None

Estimated expenditure impacts to:

Jurisdiction	FY 2024	FY 2025	2023-25	2025-27	2027-29
City	436,150		436,150		
County	134,400		134,400		
TOTAL \$	570,550		570,550		
GRAND TOTAL \$ 570,55					570,550
In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.					on.

## Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 02/02/2023
Leg. Committee Contact: Peter Clodfelter	Phone: 360-786-7127	Date: 01/26/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/02/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/02/2023

Bill Number: 1614 HB

FNS060 Local Government Fiscal Note

## Part IV: Analysis A. SUMMARY OF BILL

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

Sec. 1 amends RCW 69.50.4013. A person 21 years of age or older may produce or possess no more than six cannabis plants. The quantity of cannabis and cannabis products a person may produce or possess under this subsection is subject to the following limits: (i) A person may not possess cannabis capable of being processed into useable cannabis, cannabis-infused products, or cannabis concentrates, unless the person possesses fewer than 16 ounces of useable cannabis; (ii) A person may not produce or possess a total of more than 16 ounces of cannabis-infused products in solid form; (iii) A person may not produce or possess a total of more than 72 ounces of cannabis-infused products in liquid form; and (iv) A person may not produce or possess a total of more than seven grams of cannabis concentrates.

No more than 15 plants may be grown at any one time on the premises of a single housing unit.

The Liquor and Cannabis Board may provide mutual law enforcement assistance to a law enforcement agency if such a law enforcement agency requests mutual law enforcement assistance in accordance with chapter 10.93 RCW and under the authority of law.

Sec. 3 amends RCW 69.50.505. The acquisition, delivery, production, or possession of cannabis, useable cannabis, cannabis concentrates, or cannabis-infused products, including in the manner and in the amount provided in RCW 69.50.4013(7), shall not result in the forfeiture of real property unless the cannabis is possessed for commercial purposes that are unlawful under Washington state law, and the amount possessed is 16 or more plants. Previously, the limit was five or more plants.

Sec. 4 amends RCW 69.50.101. "Commercial activity" means an activity related to or connected with buying, selling, or bartering.

## **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.* 

Local law enforcement agencies would incur first year training costs totaling \$570,550 (\$436,150 cities + \$134,400 counties) plus additional indeterminate expenditures for responding to calls reporting homegrown marijuana violations.

#### TRAINING:

The legislation would increase the amount of marijuana that can be grown on the premises of a single housing unit, and the amount of marijuana a person may produce or possess. Washington Association of Sheriffs and Police Chiefs expects it would take one hour of training for all law enforcement officers to be educated on the new law.

Cities: 6,710 officers x \$65 (weighted average salary for a police officer) = 436,150Counties: 2,240 officers x \$60 (weighted average salary for a deputy sheriff) = 134,400Total: 570,550

#### **REPORTING VIOLATIONS:**

Because the legislation would allow homegrown marijuana with visibility and smell requirements, there will likely be an increase in law enforcements' workload due to increased calls to report violations. Law enforcement would have to respond to reported violations such as public visibility and smell management complaints. However, the number of violations law enforcement will receive cannot be predicted in advance. Therefore, the impact is indeterminate.

#### LIQUOR AND CANNIBIS BOARD:

The legislation would allow the Liquor and Cannabis Board to provide mutual law enforcement assistance to a law enforcement agency if the law enforcement agency directly requested it. However, any cost-savings law enforcement may experience if they request mutual law enforcement assistance is difficult to estimate due to unknown factors such as the number of calls law enforcement will receive to report violations, and the number of instances where local law enforcement will request the Liquor and Cannabis Board's mutual law enforcement assistance. Therefore, any cost savings law enforcement agencies may experience is unknown and indeterminate.

## 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 government revenue.

### SOURCES:

Washington Association of Sheriffs and Police Chiefs