

Multiple Agency Fiscal Note Summary

Bill Number: 5391 SB	Title: Embodied carbon reductions
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Estimated Cash Receipts

NONE

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
Department of Commerce	2.2	1,246,395	1,246,395	1,246,395	1.7	597,166	597,166	597,166	1.6	560,461	560,461	560,461
Department of Commerce	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Enterprise Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
University of Washington	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State University	.3	76,666	76,666	76,666	.3	76,666	76,666	76,666	.3	76,666	76,666	76,666
Eastern Washington University	.0	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	.1	13,412	13,412	13,412	.1	13,412	13,412	13,412	.1	13,412	13,412	13,412
Department of Transportation	Non-zero but indeterminate cost and/or savings. Please see discussion.											
State Parks and Recreation Commission	.0	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	0
Department of Natural Resources	.0	0	0	0	.0	0	0	0	.0	0	0	0
Community and Technical College System	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	2.6	1,336,473	1,336,473	1,336,473	2.1	687,244	687,244	687,244	2.0	650,539	650,539	650,539

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Commerce	.0	0	0	.0	0	0	.0	0	0
Department of Enterprise Services	Non-zero but indeterminate cost and/or savings. Please see discussion.								
University of Washington	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Washington State University	Non-zero but indeterminate cost and/or savings. Please see discussion.								
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	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Transportation	.0	0	0	.0	0	0	.0	0	0
State Parks and Recreation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Community and Technical College System	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Community and Technical College System	Non-zero but indeterminate cost and/or savings. Please see discussion.
Department of Enterprise Services	Non-zero but indeterminate cost and/or savings. Please see discussion.
University of Washington	Non-zero but indeterminate cost and/or savings. Please see discussion.
Washington State University	Non-zero but indeterminate cost and/or savings. Please see discussion.
Western Washington University	Non-zero but indeterminate cost and/or savings. Please see discussion.

Prepared by: Gwen Stamey, OFM	Phone: (360) 790-1166	Date Published: Final 2/14/2023
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Individual State Agency Fiscal Note

Revised

Bill Number: 5391 SB	Title: Embodied carbon reductions	Agency: 103-Department of Commerce
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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	2.2	2.2	2.2	1.7	1.6
Account					
General Fund-State 001-1	617,392	629,003	1,246,395	597,166	560,461
Total \$	617,392	629,003	1,246,395	597,166	560,461

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: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Marla Page	Phone: 360-725-3129	Date: 02/13/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 02/13/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/14/2023

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.

This bill requires state agency construction projects to complete a life cycle assessment (LCA) of eligible structural projects during the design phase, to provide Environmental Product Declarations (EPDs) for covered structural materials used in eligible projects, and to estimate the embodied carbon emissions and embodied carbon intensity of a project during the construction phase and compare those estimates with the as-built embodied carbon emissions and intensity of completed projects.

Section 4 of this bill requires the Department of Commerce (department) to partially reimburse in-state manufacturers for creating new product-specific EPDs for eligible products. This program will have administrative and workload impacts that would depend on the number of EPDs created. The bill does not limit based on any defined funding availability. The department assumes it will treat this as an entitlement program.

Section 7 of this bill requires the department to contract with a public or nonprofit entity to create an online database to collect data from awarding authorities required by sections 4, 6, and 7 of this bill. Sections 8(1)(a-r) detail specific data that must be collected. This database must be publicly available without cost or limitation and must be completed and ready to accept submittals by January 1, 2025.

Effective date is assumed to be 90 days after adjournment of the session in which this bill is passed.

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.

Section 4—Financial assistance to in-state manufacturers for EPD development.

Costs are indeterminate and will depend on the volume of EPDs created during this time period. The bill does not limit based on any defined funding availability. The department assumes it will treat this as an entitlement program.

Section 7—Database Development and Management

The department is required to develop and maintain a publicly accessible database for covered projects to submit environmental and labor conditions data, by January 1, 2025. The department must contract with a public or non-profit entity to develop this database.

The department assumes the development of this database will require input from department staff including subject matter experts and IT staff. After implementation, staff resources will be required to provide technical assistance, support contract administration, and make updates to the database.

The department assumes that this database will be developed through a contract with a public or non-profit entity; this entity may hire sub-contractors to complete required work.

To accomplish this work the department estimates:

0.10 FTE EMS 3 SEEP Director (208 hours) in FY24 and FY25 to oversee development of the database and coordinate work with consultants, IT and subject matter experts in the SEEP Office.

0.50 FTE Management Analyst 5 (1,044 hours) in FY24 and FY25 to participate in the development of the database and provide input on reporting parameters and data collection. The department estimates 0.20 FTE MA5 (416 hours) in FY26-FY28 to evaluate opportunities to update and align this database with the structural engineering institute of the American society of civil engineers SE2050 commitment program database.

0.20 FTE Commerce Specialist 3 (416 hours) to solicit, originate, manage contracts, and provide evaluation and subject matter expertise. FY25-FY29 To provide coordination support, contract management, contract monitoring, invoicing, data entry, and database support.

Database Development:

0.50 FTE Information Technology Business Analyst Senior (1,044 hours) to provide project management and technical advice on development of the business application. FY26-29 continued support of the system after initial implementation for annual system maintenance and enhancements.

0.50 FTE Information Technology Application Developer Senior (1,044 hours) to assist with system development, perform data development, align system with state and agency standards, develop system updates to keep system updated to current business needs. FY26-29 continued support for annual system maintenance and enhancements.

Salaries and Benefits:

FY24: \$263,366

FY25: \$272,091

FY26-FY28: \$214,484 per fiscal year

FY29: \$188,313

Goods and Services:

FY24: \$17,379

FY25: \$17,394

FY26-FY28: \$13,534 per fiscal year

FY29: \$11,610

Professional Service Contracts:

One professional service contract at the rate of \$200 per hour for database development, project management, testing and system implementation.

FY24: \$250,000

FY25: \$250,000

Intra-agency Reimbursement

FY24: \$86,647

FY25: \$89,518

FY26-FY28: \$70,565 per fiscal year

FY29: \$61,955

Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs, central services charges and agency administration. Agency administration costs (e.g., payroll, HR, IT) are funded under a federally approved cost allocation plan.

Total Costs:

FY24: \$617,392

FY25: \$629,003

FY26-FY28: \$298,583 per fiscal year

FY29: \$261,878

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	617,392	629,003	1,246,395	597,166	560,461
Total \$			617,392	629,003	1,246,395	597,166	560,461

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	2.2	2.2	2.2	1.7	1.6
A-Salaries and Wages	201,313	207,351	408,664	327,374	307,766
B-Employee Benefits	62,053	64,740	126,793	101,594	95,031
C-Professional Service Contracts	250,000	250,000	500,000		
E-Goods and Other Services	17,379	17,394	34,773	27,068	25,144
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	86,647	89,518	176,165	141,130	132,520
9-					
Total \$	617,392	629,003	1,246,395	597,166	560,461

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
Administrative Services - Indirect	111,168	0.4	0.4	0.4	0.3	0.3
Commerce Specialist 3	82,056	0.2	0.2	0.2	0.2	0.2
EMS Band 3	138,366	0.1	0.1	0.1		
IT APP Development - Senior/Specialist	120,457	0.5	0.5	0.5	0.5	0.5
IT Business Analyst - Expert	126,485	0.5	0.5	0.5	0.5	0.5
Management Analyst 5	95,185	0.5	0.5	0.5	0.2	0.1
Total FTEs		2.2	2.2	2.2	1.7	1.6

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: 5391 SB	Title: Embodied carbon reductions	Agency: 179-Department of Enterprise Services
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

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

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Hayley Tresenriter	Phone: (360) 407 9294	Date: 01/26/2023
Agency Approval: Ashley Howard	Phone: (360) 407-8159	Date: 01/26/2023
OFM Review: Jennifer Masterson	Phone: (360) 810-0117	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.

Section 3 is a new section that requires a life cycle cost analysis be completed during the schematic design phase of a project based on eligible structural projects for the project. Section 3(2)- 3(9) further describe the required elements and processes for developing the life cycle cost analysis. This has an indeterminate capital impact to the Department of Enterprise Services.

Section 4 is a new section that requires the Department of Commerce to partially reimburse Washington manufacturers to develop Environmental product declarations (EPD).

Section 5 is a new section that requires embodied carbon implications of specific product procurement be added to contract documents or project specifications.

Section 5(1) requires the successful bidder to provide product information, as defined by this section, to the construction contractor one month prior to substantial completion. The construction contractor must provide the product-specific environmental product declarations to the awarding authority and to the Department of Commerce at substantial completion of the project. This applies to projects with subcontracting bidding commencing on or after January 1, 2025.

Section 5(2) adds additional reporting requirements for eligible products with bidding commencing on or after January 1, 2027.

Section 5(3) outlines when projects can be exempt from the requirements set forth in this section.

Section 6 is a new section that requires consistency for targeting and measuring embodied carbon reductions and in data reporting.

Section 6(2) describes how the project-specific baseline, project reduction percentage and embodied carbon intensity be calculated and reported.

Section 6(3) describes the responsibilities of the construction contractor upon substantial completion of an eligible project. This has an indeterminate capital impact to the Department of Enterprise Services.

Section 7 is a new section that requires the Department of Commerce to select a public or nonprofit entity to collect various data elements to inform project stakeholders of achievable reductions. Detailed reporting requirements are described. The section outlines the required reporting elements No fiscal impact to DES.

Section 8 is a new section that titles the name of this act as “the embodies carbon measurement and disclosure building clean act.”

Section 9 is a new section that adds section 1-8 of this act as a new chapter to Title 19 RCW.

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

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

IV. B - Expenditures by Object Or Purpose

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

IV. C - Capital Budget Breakout

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

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

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

NONE

SB 5391 requires contractors to calculate carbon emissions and analyze alternatives for structural systems based on project design. This cost for this additional work will be passed back to the client, effectively increasing the cost of capital projects. The fiscal impact to DES is indeterminate.

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: 5391 SB	Title: Embodied carbon reductions	Agency: 360-University of Washington
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

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

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Charlotte Shannon	Phone: 2066858868	Date: 01/24/2023
Agency Approval: Charlotte Shannon	Phone: 2066858868	Date: 01/24/2023
OFM Review: Kelsey Rote	Phone: (360) 000-0000	Date: 01/25/2023

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.

SECTIONS 1 of Senate Bill 5391 provides an intent section to preserve quality of life through greenhouse gas reductions including embodied carbon in structural products.

SECTION 2 includes institutions of higher education in the definition of “awarding authority.” Eligible products include structural concrete, rebar and post-tensioning rods, structural steel, and engineered wood. Eligible projects are defined as those larger than 50,000 gross square feet.

SECTION 3 requires that during schematic design or when structural elements are being considered, the designer of record must conduct a life-cycle assessment of eligible structural products in the project consisting of primary and secondary structural members and must be compliant with ISO 14044, excluding operating energy, and disclose the modeled global warming potential. The section also sets requirements for modeling software and datasets including compliance with ISO or EN standards, scope of comparisons, service life of 60 years, and recycling. The assessment must be uploaded to the online database established in Section 8.

SECTION 4 establishes a partial reimbursement by the Department of Commerce to manufacturers of structural products for the cost of producing product-specific environmental declarations.

SECTION 5 includes requirements for project designers to include in contract documents or project specifications. For projects with product or subcontractor bidding commencing on or after January 1, 2025, the successful bidder must submit product-specific environmental product declarations to the construction contractor for at least 90% by weight or volume of all eligible products and their installed quantities, and submit to the awarding agency and Department of Commerce at substantial completion. For projects with product or subcontractor bidding commencing on or after January 1, 2027, the declaration must be submitted at the time of bid submission, in addition to one month before project completion, and the bidder must update declarations and quantities to reflect as-built conditions. The section does not apply if the awarding authority determines that it is not technically feasible to provide a declaration, or if a state of emergency exists under certain conditions.

SECTION 6 sets requirements for the designer of record or consultant to calculate an estimated embodied carbon and include it in construction specifications as published by specific organizations.

SECTION 7 requires the Department of Commerce to select a public or nonprofit entity to collect and make public data regarding any projects bidding on eligible products after January 1, 2025.

SECTION 8 provides this act may be known and cited as the embodied carbon measurement and disclosure build clean act.

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.

SECTIONS 3, 5, 6, 7 include requirements for awarding agencies to engage in this new process in design analysis, decision efforts, and data transmission. However, we expect that these requirements will be built into project cost (see the capital

expenditures section).

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

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

IV. B - Expenditures by Object Or Purpose

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

IV. C - Capital Budget Breakout

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

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

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

NONE

This bill would require additional effort to calculate carbon emissions, analyze alternatives for structural systems, and also for reporting. The cost of project designers and contractors doing this work will become part of the project cost and paid for in the owner’s capital budget (including for state-funded capital projects). For larger projects, we estimate that this will be a small percentage of the total work, or approximately 0.1% of project cost. Assuming a \$200M annual capital budget of qualifying projects, we estimate at least \$200,000 in capital budget impact annually. However, because the number and scope of eligible projects, and the number of which will be state-funded, is unknown, the impact of this bill is highly indeterminate but likely over \$50,000 each year.

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: 5391 SB	Title: Embodied carbon reductions	Agency: 365-Washington State University
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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	0.3	0.3	0.3	0.3	0.3
Account					
General Fund-State 001-1	38,333	38,333	76,666	76,666	76,666
Total \$	38,333	38,333	76,666	76,666	76,666

Estimated Capital Budget Impact:

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

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Brittney Gamez	Phone: 509-335-5406	Date: 01/26/2023
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/26/2023
OFM Review: Kelsey Rote	Phone: (360) 000-0000	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.

5391 SB is related to modeling, measurement and reporting of carbon emission reductions from structural building products in state-funded projects. This will create a fiscal impact to WSU.

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

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	38,333	38,333	76,666	76,666	76,666
Total \$			38,333	38,333	76,666	76,666	76,666

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.3	0.3	0.3	0.3
A-Salaries and Wages	28,290	28,290	56,580	56,580	56,580
B-Employee Benefits	10,043	10,043	20,086	20,086	20,086
C-Professional Service Contracts					
E-Goods and Other Services					
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 \$	38,333	38,333	76,666	76,666	76,666

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
Facilities Project Manager	113,160	0.3	0.3	0.3	0.3	0.3
Total FTEs		0.3	0.3	0.3	0.3	0.3

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

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

IV. B - Expenditures by Object Or Purpose

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

IV. C - Capital Budget Breakout

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

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

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

NONE

Life cycle costs will increase \$10,000 - \$50,000 per project and WSU anticipates higher construction costs passed on from the contractor. The requirements may also add costs (and project time which results in higher costs) due to limited pool of materials and limitations on design options.

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: 5391 SB	Title: Embodied carbon reductions	Agency: 370-Eastern Washington University
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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: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 01/25/2023
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 01/25/2023
OFM Review: Kelsey Rote	Phone: (360) 000-0000	Date: 01/25/2023

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.

Proposed SB 5391 – Adds a new chapter to Title 19 RCW requiring the modeling, measurement, and reporting of embodied carbon emission reductions from structural building products used on state-funded construction projects.

Based on the lead agency assumptions Eastern will have additional reporting requirements on projects. These additional requirements will be absorbed within current resources therefore, this proposed bill has no 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

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: 5391 SB	Title: Embodied carbon reductions	Agency: 375-Central Washington University
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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: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Erin Sargent	Phone: 509-963-2395	Date: 01/26/2023
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 01/26/2023
OFM Review: Kelsey Rote	Phone: (360) 000-0000	Date: 01/26/2023

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 4: New Section – Requires a life-cycle assessment of the eligible products in the project to be completed during the schematic design phase, by the designer of record.

Section 6: New Section – Establishes requirements of the designer of record to include information in the contract documents or project specifications for eligible products, and outlines requirements for the successful bidder.

Section 7: New Section - (1) To provide consistency in targeting and measuring embodied carbon reductions and in reporting data, the project-specific baseline, the project-specific reduction percentage, and the embodied carbon intensity must be calculated and reported pursuant to this section.

CWU does not anticipate any changes to our processes, system, policies or service associated with this legislation as the burden of implementation is on the consultant and contractor of record. In addition, CWU does not anticipate any quantifiable amount of time associated with this legislation other than verifying the consultant of record has added the legislation requirements to the project specifications.

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

Bill Number: 5391 SB	Title: Embodied carbon reductions	Agency: 376-The Evergreen State College
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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: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 01/23/2023
Agency Approval: Dane Apalategui	Phone: 360-867-6517	Date: 01/23/2023
OFM Review: Kelsey Rote	Phone: (360) 000-0000	Date: 01/25/2023

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 5391 relates to the modeling, measurement and reporting of embodied carbon emissions reductions.

Section 1 (5) states that a project's embodied carbon baseline and reduction targets should measure and compare the impact of all eligible products in aggregate, and not in isolation.

Section 2 (b) identifies institutions of higher education as an awarding authority.

Section 3 (1) specifies that during the schematic design phase and when considering structural products, the designer of record or their designated consultant must conduct a life-cycle assessment of the eligible structural products in the project.

Section 3 (6) The assessment must measure impacts at the 60-year point of the building project's modeled service life.

Section 4 describes how manufacturers may seek and receive partial reimbursement for the published environmental product declarations.

Section 5 lists the items that the designer of record must include in the contract documents.

Section 6 requires that the project-specific reduction percentage and the embodied carbon intensity must be calculated and reported.

Section 7 requires the Department to select a public or nonprofit entity to collect and publish (via a web site) certain information about projects in order to keep stakeholders informed.

Section 9 specifies that the first eight sections of this act will comprise a new chapter in RCW 19.

Please note that while this bill does not create a large direct cost impact for Evergreen, we feel it will increase project costs due to a scarcity of resources when complying with this bill.

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: 5391 SB	Title: Embodied carbon reductions	Agency: 380-Western Washington University
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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	0.1	0.1	0.1	0.1	0.1
Account					
General Fund-State 001-1	6,706	6,706	13,412	13,412	13,412
Total \$	6,706	6,706	13,412	13,412	13,412

Estimated Capital Budget Impact:

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

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Timothy Davenport	Phone: 3606503377	Date: 01/25/2023
Agency Approval: Kimberley Ayre	Phone: 3606503377	Date: 01/25/2023
OFM Review: Kelsey Rote	Phone: (360) 000-0000	Date: 01/25/2023

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 requirements for consultants and contractors will create substantial increases to costs for projects that are subject to this legislation. These costs would be embedded in consultant fees and in the bids received from the contractors.

While the impacts to capital projects is indeterminate at this time, we envision the additional services required of the consultants and contractors would add at least 2% to the total project cost. There would be additional fiscal impacts to Western as the new requirements would require additional coordination by project managers to ensure that consultants and contractors are in compliance.

New requirements:

Sec. 3. (1) During the schematic design phase and when considering structural products that will satisfy the anticipated project applications and the project requirements including, but not limited to, project program, financial budget, construction schedule, product availability, and overall constructability, the designer of record or their designated consultant must conduct a life-cycle assessment of the eligible structural products in the project.

Sec. 4. To support informed product selection and to document the availability of lower embodied carbon Washington products, the department must partially reimburse manufacturers for the costs of producing product-specific environmental product declarations of eligible products

Sec. 5. To enable accurate bid pricing and to inform the construction contractor of the embodied carbon implications of a specific product procurement, the designer of record must include in the contract documents or project specifications for eligible projects the following requirements:

(1) For projects with product or subcontractor bidding commencing on or after January 1, 2025:

(a) The successful bidder must submit one month prior to the project's substantial completion to the construction contractor, product-specific environmental product declarations for at least 90 percent by weight or volume of all eligible products and their installed product quantities. The unit of measurement for the installed eligible products must match the units used in that eligible product's product-specific environmental product declarations.

(b) The construction contractor must transmit the product-specific environmental product declarations and associated eligible product quantities to the awarding authority and to the department at substantial completion of the construction contract.

(2) For projects with eligible product bidding or subcontractor bidding commencing on or after January 1, 2027:

(a) The successful bidder must submit to the construction contractor at the time of bid submission and one month prior to the project's substantial completion, product-specific environmental product declarations for at least 90 percent by weight or volume of all eligible products and their estimated product quantities. The unit of measurement for the installed quantities must match the units used in that eligible product's product-specific environmental product declarations. The successful bidder must update the eligible product quantities, environmental product declarations, or both at substantial completions to reflect as-built conditions.

(b) The construction contractor must transmit the product specific environmental product declarations and associated eligible product quantities to the awarding authority and to the department at the time of the successful bidder award and update the information at the time of substantial completion of the construction contract.

Sec. 6. (1) To provide consistency in targeting and measuring embodied carbon reductions and in reporting data, the project-specific baseline, the project-specific reduction percentage, and the embodied carbon intensity must be calculated and reported pursuant to this section,

(2) Prior to bidding of eligible products, the designer of record or the project's life-cycle assessment consultant under the designer of record's direction must:

(a) Calculate an estimated embodied carbon emissions for the project's eligible products and include this calculation in the construction specifications used for bidding of the eligible products.

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.

The majority of the work required by this bill will be performed by a hired consultant and awarded contractor for each project.

However, we anticipate the need for an additional .05 FTE per year of a Project Manager's time to ensure that consultants and contractors are in compliance with this requirements of this legislation. The expenditures are based on a \$102,384 annual salary and 31% benefits.

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	6,706	6,706	13,412	13,412	13,412
Total \$			6,706	6,706	13,412	13,412	13,412

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	0.1	0.1	0.1	0.1
A-Salaries and Wages	5,119	5,119	10,238	10,238	10,238
B-Employee Benefits	1,587	1,587	3,174	3,174	3,174
C-Professional Service Contracts					
E-Goods and Other Services					
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 \$	6,706	6,706	13,412	13,412	13,412

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
Project Manager	102,384	0.1	0.1	0.1	0.1	0.1
Total FTEs		0.1	0.1	0.1	0.1	0.1

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

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

IV. B - Expenditures by Object Or Purpose

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

IV. C - Capital Budget Breakout

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

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

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

NONE

Please note this Bill is for construction projects greater than 50,000 gsf, and it is unclear if this includes renovation projects. Based on this, Western will likely have no more than one of these projects per biennium.

The requirements for consultants and contractors will create substantial increases to costs for projects that are subject to this legislation. The costs would be embedded in consultant fees and in the bids received from the contractors.

It is unknown how much in additional capital costs this legislation would generate, but we envision the additional services required for the consultants and contractors would add at least 2% to the total project cost.

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: 5391 SB	Title: Embodied carbon reductions	Agency: 405-Department of Transportation
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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:

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

Legislative Contact: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Chad Johnson	Phone: 360-705-7547	Date: 01/27/2023
Agency Approval: Chad Johnson	Phone: 360-705-7547	Date: 01/27/2023
OFM Review: Maria Thomas	Phone: (360) 229-4717	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.

Please 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.

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

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

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: SB 5391 **Title:** Embodied Carbon Reduction

Agency: 405-Department of Transportation

Part I: Estimates

Check applicable boxes and follow corresponding instructions, use the fiscal template table provided to show fiscal impact by account, object, and program (if necessary), **add rows if needed**. If no fiscal impact, check the box below, skip fiscal template table, and go to Part II to explain briefly, why the program believes there will be no fiscal impact to the department.

No Fiscal Impact (Explain in section II. A)

If a fiscal note is assigned to our agency, someone believes there might be, and we need to address that, showing why there is no impact to the department.

Indeterminate Cash Receipts Impact (Explain in section II. B)

Indeterminate Expenditure Impact (Explain in section II. C)

If fiscal impact is less 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 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**

Revised

The cash receipts and expenditure estimates on this fiscal template represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Agency Assumptions

N/A

Agency Contacts:

Preparer: Misun Peck	Phone: 360-705-7892	Date: 1/24/2023
Approval: Mark Smith	Phone: 360-705-7890	Date: 1/24/2023
Budget Manager: Stephanie Hardin	Phone: 360-705-7545	Date: 1/24/2023

Part II: Narrative Explanation

II. A - Brief description of what the measure does that has fiscal impact

Briefly describe by section number (sections that will change WSDOT costs or revenue), the significant provisions of the bill, and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency.

The Senate Bill 5391 proposes setting modeling, measurements, and reporting for embodied carbon emission reductions to structural building products for state-funded building projects that are larger than 50,000 gross square feet. The compliance with the proposed language includes modeling the lifetime carbon emissions of the structure, programming, and budgeting for a long services life, providing product specific environmental product declarations, and reporting the

Individual State Agency Fiscal Note

embodied carbon intensities. It requires awarding authorities (including Washington State Department of Transportation) to request certain information from contractors selected for a public works project.

Section 2:

This section provides definitions for reporting on the *eligible products* for construction of *eligible projects* that are larger than 50,000 gross square feet of occupied or conditioned space as defined in the Washington state building code.

- The *designer of record* is the licensed design professional responsible for leading the design team. The designer shall oversee and manage the following *eligible products*:
 - Structural concrete products, specifically ready mix, shotcrete, precast, and concrete masonry units.
 - Reinforcing steel products, specifically rebar and post tensioning tendons.
 - Structural steel products specifically hot rolled sections, hollow sections, plate, and metal deck.
 - Engineered wood products including mass timber products such as laminated veneer lumber, parallel strand lumber, cross-laminated timber, dowel laminated timber, nail laminated timber, glulam laminated timber, glulam beams and columns, and structural sawn lumber.
- Embodied carbon means greenhouse gas emissions from the harvesting, extracting, manufacturing, transportation, installation, maintenance, replacement, and disposal of eligible product.
- Environmental product declaration means a type III environmental product declaration, as defined by the ISO 14025 and other equally robust life-cycle assessment methods and metrics.
- Life-cycle assessment of eligible products are calculations of the projected greenhouse gas emissions using international organization for standardization compliant standards and the United State life cycle inventory database information.

Section 3:

During the schematic design phase, the designer of record or their designated consultant must conduct ISO 14044 life-cycle assessments guideline and ISO 21930 or EN15804 to provide environmental product declarations. The designer of record must upload a summary of the life cycle assessment of the structural system to the online database.

Section 3(4)

Software must have a data set compliant with ISO 14044, and ISO 21930 or EN 15084, and the software must conform to ISO 21931-2017, EN 15978:2011, or both.

Section 3(6)

Life-cycle assessment must measure impacts at the 60-year point of the building project's modeled service life.

Section 3(8)

For projects with a designed service life of less than 100 years, the modeling assumptions for the extent of reuse and recycling in life-cycle stage D must be like the economically feasible practices commonly found in the project's current market.

Section 4:

Reimbursements are available only to manufacturers that currently harvest, extract, recycle, produce, or assemble an eligible product within the state of Washington. Reimbursement must be for one-half of the substantiated direct financial costs for producing product-specific environmental product declarations, not covered by other grants, up to an amount of \$15,000 per manufacturing location or batch plant, with a maximum of \$45,000 for manufacturer, associated companies, or both.

The reimbursement has unknown impact to WSOT; however, there is potential products from these manufacturers will have a lower cost.

Section 5:

To enable accurate bid pricing and to inform the construction contractor, the designer of the record must include in the contract documents or project specifications for eligible projects the following requirements:

- For projects with product or subcontractor bidding commencing on or after January 1, 2025

Individual State Agency Fiscal Note

- The successful bidder must submit one month prior to the product-specification environmental product declarations for at least 90 percent by weight or volume of all eligible products and their installed product quantities.
- The construction contractor must transmit the product-specific declarations and associated eligible product quantities to the awarding authority and to the department at substantial completion of the construction contract.
- For projects with product or subcontractor bidding commencing on or after January 1, 2027
 - The successful bidder must submit at the time of bid submission and one month prior to the product-specification environmental product declarations for at least 90 percent by weight or volume of all eligible products and their installed product quantities.
 - The construction contractor must transmit the product-specific declarations and associated eligible product quantities to the awarding authority and to the department at the time of the successful bidder award and update the information at the time of substantial completion of the construction contract.

Section 6:

Prior to bidding of eligible products, the designer of record or the project's life-cycle assessment consultant must calculate, record, and report the estimated embodied carbon emissions for eligible products.

Section 7:

This section directs the Department of Commerce to select a public or nonprofit entity for collecting data of all eligible projects bidding on eligible products (on or after January 1, 2025) and upload the collected data into a database. The awarding authorities (including WSDOT) may review the database annually to be informed of embodied carbon targets for future projects and require the designer of records to review relevant projects in the database.

II. B – Cash Receipts Impact

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.

N/A

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The proposed SB 5391 has an indeterminate fiscal impact to the department in the long-term. There is no fiscal impact in the current biennium. The proposed bill means that there are minor requirements for the department in the near term, and the bill applies to a few WSDOT buildings.

The program has included part of the above requirements in their current practices from proposed bill. Any projects over gross square feet of 50,000 have incorporated ISO 14044 in response to Leadership in Energy and Environmental Design (LEED) requirements.

Note that life-cycle assessment modeling and evaluating and submitting product declarations based on the model will likely have costs under this bill than they otherwise would have. The proposed change will require WSDOT to modify bidding processes, contract review, and additional data collection and reporting requirements. The magnitude of this cost increase is dependent on the business impacts to contractors, and what level of that impact they will pass along to customers.

Part III: Expenditure Detail

III. A - Expenditures by Object or Purpose

Individual State Agency Fiscal Note

N/A

Part IV: Capital Budget Impact

N/A

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

N/A

Individual State Agency Fiscal Note

Bill Number: 5391 SB	Title: Embodied carbon reductions	Agency: 465-State Parks and Recreation Commission
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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: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Dennis Tate	Phone: (360) 902-8540	Date: 01/25/2023
Agency Approval: Van Church	Phone: (360) 902-8542	Date: 01/25/2023
OFM Review: Jennifer Masterson	Phone: (360) 810-0117	Date: 01/26/2023

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 adds a new chapter to Title 19 RCW related to modeling, measurement, and reporting of embodied carbon emission reductions from structural products used in state funded projects.

Section 2 (7) "Eligible project" are construction project's larger than 50,000 gross square feet of space as defined in the Washington state building code adopted under chapter 19.27 RCW.

The proposed legislation has no fiscal impact to State Parks. State Parks has no projects in its current 10-year capital plan or has currently funded projects in excess of 50,000 square feet.

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.

There will be no fiscal impact to State Parks. State Parks has no covered projects - building construction projects larger than 50,000 square feet in the Ten-Year Capital Plan.

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: 5391 SB	Title: Embodied carbon reductions	Agency: 477-Department of Fish and Wildlife
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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: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: David Hoeveler	Phone: 3609701638	Date: 01/26/2023
Agency Approval: David Hoeveler	Phone: 3609701638	Date: 01/26/2023
OFM Review: Myra Baldini	Phone: (360) 688-8208	Date: 01/26/2023

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 3 states that an "eligible project" means a construction project larger than 50,000 gross square feet of space as defined in the Washington state building code adopted under chapter 19.27 RCW.

Department of Fish and Wildlife does not currently maintain or have plans to construct facilities larger than 50,000 gross square feet. Due to the qualifier of "eligible projects" this bill will not have any fiscal impacts on the Department. Our current facility inventory does not have any structures larger than 25,000 gross square feet. Additionally, the Department does not have any projects planned larger than 25,000 square feet.

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

Bill Number: 5391 SB	Title: Embodied carbon reductions	Agency: 490-Department of Natural Resources
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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: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Nicole Dixon	Phone: 360-902-1155	Date: 01/23/2023
Agency Approval: Nicole Dixon	Phone: 360-902-1155	Date: 01/23/2023
OFM Review: Jennifer Masterson	Phone: (360) 810-0117	Date: 01/26/2023

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.

This bill relates to the modeling, measurement, and reporting of embodied carbon emission reductions from structural building products in state-funded projects. Construction of buildings over 50,000 square feet will require contractors to submit additional documentation for the materials provided. The Department of Natural Resources (DNR) is not planning any construction of that size in the next six years, therefore, no 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

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: 5391 SB	Title: Embodied carbon reductions	Agency: 699-Community and Technica College System
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

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

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Angela Kleis	Phone: 360-786-7469	Date: 01/21/2023
Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 01/23/2023
Agency Approval: Cherie Berthon	Phone: 360-704-1023	Date: 01/23/2023
OFM Review: Kelsey Rote	Phone: (360) 000-0000	Date: 01/25/2023

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.

This bill seeks to achieve greenhouse gas reductions by reducing embodied carbon in structural products.

SECTION 2

- “Awarding Authority” means a state agency for a contract for a public works project subject to RCW 39.04 or 39.10
- “Designer of Record” means the licensed design professional who is responsible for leading the design team and manages the design and/or specification of eligible products.
- “Eligible Products” means structural concrete, reinforcing steel and structural steel products, and engineered wood.
- “Eligible Projects” means a construction project larger than 50,000 gross square feet.
- “Embodied Carbon” means greenhouse gas emissions from the harvesting, extracting, manufacturing, transportation, installation, maintenance, replacement and disposal of eligible products.

SECTION 3

During the schematic design phase of a project, the designer of record or designated consultant must conduct a life-cycle assessment of the eligible structural products in the project.

SECTION 5

At least one month prior to substantial completion, successful bidders of a project must submit product-specific environmental product declarations for at least 90 percent, by weight or volume, of eligible products and their installed quantities.

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.

No cash receipts impact.

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.

No expenditure impact.

The bill would impose certain requirements on awarding authorities, designers of record and successful bidders. The Department of Enterprise Services (DES), is the “awarding authority” for the type of community college and technical college construction projects specified in the bill and it is expected that increased staffing costs, if any, would be incurred by DES and not the college system.

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

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

IV. B - Expenditures by Object Or Purpose

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

IV. C - Capital Budget Breakout

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

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

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

NONE

Indeterminate capital budget impact.

It is assumed there would be an increase in the cost of construction because contractors and suppliers will pass along additional costs associated with analysis, reporting, and materials. There is no way to estimate what future costs from contractors and material suppliers will be to comply with the requirements of this bill, therefore the fiscal impact is indeterminate.

Part V: New Rule Making Required

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