

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1522 S HB	<b>Title:</b> Sexual misconduct/assoc.
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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
Student Achievement Council	.1	34,000	34,000	34,000	.0	0	0	0	.0	0	0	0
University of Washington	Fiscal note not available											
Washington State University	Fiscal note not available											
Eastern Washington University	Fiscal note not available											
Central Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
The Evergreen State College	.3	43,142	43,142	43,142	.3	43,142	43,142	43,142	.3	43,142	43,142	43,142
Western Washington University	.5	74,000	74,000	74,000	.5	74,000	74,000	74,000	.5	74,000	74,000	74,000
Community and Technical College System	.0	404,000	404,000	404,000	.0	404,000	404,000	404,000	.0	404,000	404,000	404,000
<b>Total \$</b>	<b>0.9</b>	<b>555,142</b>	<b>555,142</b>	<b>555,142</b>	<b>0.8</b>	<b>521,142</b>	<b>521,142</b>	<b>521,142</b>	<b>0.8</b>	<b>521,142</b>	<b>521,142</b>	<b>521,142</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Student Achievement Council	.0	0	0	.0	0	0	.0	0	0
University of Washington	Fiscal note not available								
Washington State University	Fiscal note not available								
Eastern Washington University	Fiscal note not available								
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
Community and Technical College System	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Ramona Nabors, OFM	<b>Phone:</b> (360) 742-8948	<b>Date Published:</b> Preliminary 2/22/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1522 S HB	<b>Title:</b> Sexual misconduct/assoc.	<b>Agency:</b> 340-Student Achievement Council
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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	0.0	0.0
<b>Account</b>					
General Fund-State      001-1	17,000	17,000	34,000	0	0
<b>Total \$</b>	17,000	17,000	34,000	0	0

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Kate Henry	Phone: 360-786-7349	Date: 02/16/2023
Agency Preparation: Ami Magisos	Phone: 360-753-7823	Date: 02/21/2023
Agency Approval: Brian Richardson	Phone: 360-485-1124	Date: 02/21/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/22/2023

## 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 act will expand the current requirement for postsecondary institutions to request of applicants any documentation of substantiated sexual misconduct findings or investigations at previous employment to also include any substantiated findings or investigations generated by scholarly associations.

Section 3 (10) requires the Student Achievement Council to convene a work group regarding the ability of institutions of higher education (IHEs) to consider if applicants or current employees have committed sexual misconduct at meetings or conferences of associations, and how IHEs and Washington agencies may encourage adoption of policies and procedures regarding sexual misconduct committed at such events. WSAC is also required to report to the legislature on findings by November 30, 2024.

### II. B - Cash receipts Impact

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

### 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 3 (10) directs WSAC to convene a work group to examine the ability of Institutions of higher education (IHEs) to consider if applicants or current employees have committed sexual misconduct at meetings or conference of professional or scholarly associations. The work group will also examine how IHEs and Washington agencies may encourage adoption of policies and procedures regarding sexual misconduct committed at such events. WSAC would be responsible for generating a report on the findings of the work group by November 30, 2024.

For the work group, WSAC responsibilities would include identification of work group members and subject matter experts, planning and coordination for work group convenings, preparation and presentation of data and research, and facilitation of discussion and generation or recommendations. Some travel may be required for work group convenings, which are estimated at four meetings during FY2024 and two meetings in FY2025. WSAC Responsibilities would also include generation of a legislative report representing the work group findings and recommendations.

This work would require 0.1 FTE Assistant Director in FY2024 and FY2025 costing \$17,000 annually.

Staff time estimates are rounded to the nearest 0.1 FTE and staff-related and other costs are rounded to the nearest \$1,000.

## 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	17,000	17,000	34,000	0	0
<b>Total \$</b>			17,000	17,000	34,000	0	0

**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		
A-Salaries and Wages	9,000	9,000	18,000		
B-Employee Benefits	2,000	2,000	4,000		
C-Professional Service Contracts					
E-Goods and Other Services	5,000	5,000	10,000		
G-Travel	1,000	1,000	2,000		
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	17,000	17,000	34,000	0	0

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Assistant Director	87,000	0.1	0.1	0.1		
<b>Total FTEs</b>		0.1	0.1	0.1		0.0

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Policy Coordination & Administration (010)	17,000	17,000	34,000		
<b>Total \$</b>	17,000	17,000	34,000		

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1522 S HB	<b>Title:</b> Sexual misconduct/assoc.	<b>Agency:</b> 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: Kate Henry	Phone: 360-786-7349	Date: 02/16/2023
Agency Preparation: Erin Sargent	Phone: 509-963-2395	Date: 02/21/2023
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 02/21/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/22/2023

## 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.*

HB 1522 enhances the “pass the harasser” law by requiring Central Washington University (CWU) to expand the declaration required of applicants for employment to include substantiated findings by scholarly associations, as well as expand the requirement to request documentation to include substantiated findings or investigations generated by scholarly associations.

The substitute bill defines "investigation" and "substantiated findings", and provides clarification that only associations identified by the applicant need to be contacted pending employment. CWU has assessed the implications of the bill and has determined that the current systems can accommodate the requirements and that no additional resources will be required to implement.

### 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

<b>Bill Number:</b> 1522 S HB	<b>Title:</b> Sexual misconduct/assoc.	<b>Agency:</b> 376-The Evergreen State College
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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
<b>Account</b>					
General Fund-State 001-1	21,571	21,571	43,142	43,142	43,142
<b>Total \$</b>	21,571	21,571	43,142	43,142	43,142

### 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:

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- 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: Kate Henry	Phone: 360-786-7349	Date: 02/16/2023
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 02/21/2023
Agency Approval: Dane Apalategui	Phone: 360-867-6517	Date: 02/21/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/22/2023

## 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.*

1522 S HB relates to addressing sexual misconduct at scholarly or professional organizations.

Section 1 is revised to remove the reference to “current investigations” from the declaration that job applicants would have to respond to.

Section 2 (5) defines “investigation” as a procedure initiated in response to a formal complaint.

Section 2 (9) defines “substantiated findings” as a written determination regarding responsibility prepared at the conclusion of an investigation, as amended by any appeal process.

Section 3 (1) (a) revises “declaring whether the applicant is the subject of any substantiated findings of sexual misconduct in any current or former employment or by any association” to include “with which the applicant has, or has had, a professional relationship.”

Section 3 (1) (a) removes “is being currently investigated for, or has resigned membership during an investigation into, a violation of any sexual misconduct policy by any association.”

Section 3 (2) (b) also removes “is being currently investigated for, or has resigned membership during an investigation into, a violation of any sexual misconduct policy by any association.”

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HB 1522 relates to sexual misconduct in scholarly or professional associations.

Section 1 explains that the bill is an effort to address sexual misconduct outside the scope of employment – in this case, at scholarly and professional association conferences or meetings. Colleges and universities are required to ask job applicants whether they have been the subject of substantiated findings or investigations by previous or current employers, and to request documentation of such findings prior to extending an offer of employment. This act would extend that requirement to findings and investigations being conducted by professional associations and scholarly associations.

Section 2 defines a professional or scholarly association as one that sponsors activities or events for the benefit of individuals affiliated with postsecondary education institutions with a code of conduct that forbids sexual misconduct at meetings or conferences, and established procedures for investigating such misconduct.

Section 3 adds the new language discussed in section 1 to the required information included on the application for employment.

### 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.*

We estimate the need for a .25 FTE Human Resource Consultant and a .05 FTE Faculty Hiring Coordinator to perform the additional duties required by this bill. We have included benefits for this position using an 18.3% benefits rate.

**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	21,571	21,571	43,142	43,142	43,142
<b>Total \$</b>			21,571	21,571	43,142	43,142	43,142

**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	18,234	18,234	36,468	36,468	36,468
B-Employee Benefits	3,337	3,337	6,674	6,674	6,674
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-					
<b>Total \$</b>	21,571	21,571	43,142	43,142	43,142

**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
Faculty Hiring Coordinator	60,780	0.1	0.1	0.1	0.1	0.1
Human Resource Consultant 1	60,780	0.3	0.3	0.3	0.3	0.3
<b>Total FTEs</b>		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**

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

<b>Bill Number:</b> 1522 S HB	<b>Title:</b> Sexual misconduct/assoc.	<b>Agency:</b> 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	0.5	0.5	0.5	0.5	0.5
<b>Account</b>					
General Fund-State 001-1	37,000	37,000	74,000	74,000	74,000
<b>Total \$</b>	37,000	37,000	74,000	74,000	74,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Kate Henry	Phone: 360-786-7349	Date: 02/16/2023
Agency Preparation: Timothy Davenport	Phone: 3606503257	Date: 02/17/2023
Agency Approval: Faye Gallant	Phone: 3606504762	Date: 02/17/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/22/2023

## 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.*

HB 1522 extends the existing background check requirements (as part of the hiring process) to include “associations” (as defined in Section 2) to identify whether an applicant has violated a sexual misconduct policy while attending meetings or conferences of academic or professional associations.

We anticipate that HB 1522 will have a fiscal impact due to the expanded scope of background checks to include these scholarly and professional development organizations/associations. It will require our team members to research and identify a point of contact for each listed organization/association. HR staff will also spend time when they fail to receive timely responses from an association.

Section 3: The substitute bill adds a new definition for “investigation” and “substantiated findings” but the significant change is clarification that the background check applies only to any association with which the applicant has, or has had, a professional relationship ... thus ruling out the need for broadly and blindly reaching out to all professional associations to inquire about any possible sexual misconduct. The onus is on the applicant, by signed statement, to declare any such misconduct.

The substitute bill also removes the requirement for declaring any investigation currently in progress or where the applicant has resigned membership during an investigation.

Lastly, there is a new requirement for the student achievement council to convene a workgroup to report on the ability of institutions of higher education to consider if applicants or current employees have committed sexual misconduct while attending meetings or conferences of academic or professional associations. It is possible that employees of Western Washington University would be members of this workgroup which may result in some costs but the dollar amount is indeterminant at this time.

In conclusion, the substitute bill includes clarifications that will make it easier to administer. However, the additional background check work remains and thus we have not modified our fiscal note impact analysis.

### 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.*

We estimate 0.50 FTE for a human resources professional will be needed to fulfill the expanded background checks required by this proposed legislation. Associated benefits are roughly 39 percent on top of salary.

## 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	37,000	37,000	74,000	74,000	74,000
Total \$			37,000	37,000	74,000	74,000	74,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	26,550	26,550	53,100	53,100	53,100
B-Employee Benefits	10,450	10,450	20,900	20,900	20,900
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-					
<b>Total \$</b>	<b>37,000</b>	<b>37,000</b>	<b>74,000</b>	<b>74,000</b>	<b>74,000</b>

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
HR Consultant Assistant 2	26,550	0.5	0.5	0.5	0.5	0.5
<b>Total FTEs</b>		<b>0.5</b>	<b>0.5</b>	<b>0.5</b>	<b>0.5</b>	<b>0.5</b>

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1522 S HB	<b>Title:</b> Sexual misconduct/assoc.	<b>Agency:</b> 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:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
<b>Account</b>					
General Fund-State 001-1	202,000	202,000	404,000	404,000	404,000
<b>Total \$</b>	202,000	202,000	404,000	404,000	404,000

### Estimated Capital Budget Impact:

NONE

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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: Kate Henry	Phone: 360-786-7349	Date: 02/16/2023
Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 02/19/2023
Agency Approval: Cherie Berthon	Phone: 360-704-1023	Date: 02/19/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/22/2023



## 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 substitute differs from the original bill in the following ways:

Add definitions for “investigation” and for “substantiated findings”.

Requirements relating to ongoing sexual misconduct investigations of members of an association are removed.

These changes would not change the fiscal impact when compared to the prior bill.

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Prior to an official offer of employment, this bill would require applicants to postsecondary educational institutions to authorize the applicant’s relevant associations to disclose any sexual misconduct committed by the applicant and request any relevant associations to provide information on the sexual misconduct.

Associations are defined as scholarly or professional organizations or learned society that sponsors activities or events for the benefits of individuals affiliated with postsecondary educational institutions that have a code of conduct forbidding sexual misconduct at such activities or events and that have established investigatory procedures for allegations that the code of conduct has been violated.

### 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.*

This bill would have the following expenditure impacts.

#### SECTION 3

Prior to an official offer of employment, this bill would require an applicant’s relevant associations disclose any sexual misconduct committed by the applicant and request the association to provide information on the sexual misconduct. The bill would expand the scope of entities that hiring institutions need to interact with, beyond current and former employers, to require institutions to interact with associations and obtain and assess any information provided.

According to prior estimates gathered for fiscal notes on HB 2327 (2020), the cost of contracting out reference checks range from \$20 to \$86 per reference check, depending on the level of work required. Given that applicants may belong to several associations, it is assumed that \$45 per reference check would be needed to cover the additional costs.

It is assumed that faculty and exempt staff would be the primary group that belong to scholarly and professional associations. For this group, it is estimated there are approximately 4,485 new hires per year in the community and technical college system.

Average number of new hires per year – 4,485  
 Cost per reference check - \$45  
 4,485 new hires X \$45 = \$202,000 per year - FY24 ongoing

**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	202,000	202,000	404,000	404,000	404,000
<b>Total \$</b>			202,000	202,000	404,000	404,000	404,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts	202,000	202,000	404,000	404,000	404,000
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-					
<b>Total \$</b>	202,000	202,000	404,000	404,000	404,000

**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.*