

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1143 2S HB	<b>Title:</b> Firearms/purchase & transfer
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Office of Attorney General	0	0	174,000	0	0	838,000	0	0	1,207,000
Washington State Patrol	0	0	2,500,000	0	0	10,000,000	0	0	10,000,000
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Department of Licensing	(414,000)	(414,000)	(414,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)	(1,656,000)
<b>Total \$</b>	<b>(414,000)</b>	<b>(414,000)</b>	<b>2,260,000</b>	<b>(1,656,000)</b>	<b>(1,656,000)</b>	<b>9,182,000</b>	<b>(1,656,000)</b>	<b>(1,656,000)</b>	<b>9,551,000</b>

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

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	13,900	13,900	13,900	.0	0	0	0	.0	0	0	0
Office of the Governor	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.6	0	0	174,000	2.9	0	0	838,000	4.1	0	0	1,207,000
Washington State Patrol	19.2	3,306,190	3,306,190	5,806,190	39.0	1,495,120	1,495,120	11,495,120	39.0	1,891,120	1,891,120	11,891,120
Washington State Patrol	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Licensing	.5	476,000	476,000	476,000	2.0	414,000	414,000	414,000	2.0	414,000	414,000	414,000
<b>Total \$</b>	<b>20.3</b>	<b>3,796,090</b>	<b>3,796,090</b>	<b>6,470,090</b>	<b>43.9</b>	<b>1,909,120</b>	<b>1,909,120</b>	<b>12,747,120</b>	<b>45.1</b>	<b>2,305,120</b>	<b>2,305,120</b>	<b>13,512,120</b>

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

## Estimated Capital Budget Expenditures

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

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

## Estimated Capital Budget Breakout

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<b>Prepared by:</b> Tiffany West, OFM	<b>Phone:</b> (360) 890-2653	<b>Date Published:</b> Final 3/ 6/2023
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1143 2S HB	<b>Title:</b> Firearms/purchase & transfer	<b>Agency:</b> 055-Administrative Office of the Courts
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Contact	Phone:	Date: 02/27/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 02/28/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 02/28/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/28/2023

185,025.00

Form FN (Rev 1/00)

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Request # 217-1

Bill # 1143 2S HB

## Part II: Narrative Explanation

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

The second substitute has the same impact as the original bill and the substitute on the Administrative Office of the Courts.

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

### II. B - Cash Receipts Impact

None

### II. C - Expenditures

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

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

#### COURT FORMS

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

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

#### AOC STAFF IMPACTS INCLUDE STANDARD COSTS

Explanation of standard costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 31.89% of salaries.

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

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

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

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

## Part III: Expenditure Detail

185,025.00

Form FN (Rev 1/00)

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Request # 217-1

Bill # 1143 2S HB

### Part III: Expenditure Detail

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

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

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

NONE

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

NONE

#### III. D - FTE Detail

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

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

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

#### IV. C - Capital Budget Breakout

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

NONE

185,025.00

Form FN (Rev 1/00)

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1143 2S HB	<b>Title:</b> Firearms/purchase & transfer	<b>Agency:</b> 075-Office of the Governor
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact:	Phone:	Date: 02/27/2023
Agency Preparation: Tracy Sayre	Phone: 360-890-5279	Date: 02/27/2023
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 02/27/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/28/2023

## 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.*

Second Substitute House Bill 1143 does not task the Office of the Governor with any activities and therefore there is no fiscal impact to the Office of the Governor.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

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

NONE

**Part V: New Rule Making Required**

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



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1143 2S HB	<b>Title:</b> Firearms/purchase & transfer	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Legal Services Revolving Account-State 405-1	8,000	166,000	174,000	838,000	1,207,000
<b>Total \$</b>	8,000	166,000	174,000	838,000	1,207,000

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	1.1	0.6	2.9	4.1
<b>Account</b>					
Legal Services Revolving Account-State 405-1	8,000	166,000	174,000	838,000	1,207,000
<b>Total \$</b>	8,000	166,000	174,000	838,000	1,207,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact:	Phone:	Date: 02/27/2023
Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 03/02/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 03/02/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/02/2023

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

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

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

Section 3: Adds a new section to RCW 9.41, regarding the requirement to provide a certificate of completion of a certified firearms safety training program within the last five years as part of a firearms permit application, including minimum standards for that training. Exempts from the safety training requirement persons who are peace officers or active members of the Armed Forces, National Guard, or reserves who have completed safety training within the last five years as part of their service.

Section 4: Makes minor amendments to RCW 43.43.590, relating to the state firearms background check system account managed by the State Treasurer.

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

Section 6: Adds a new section to RCW 9.41, providing that a local law enforcement agency taking fingerprints may charge a fee.

Section 7: Amends RCW 9.41.047, relating to WSP's authority to revoke a firearms permits based on convictions, commitments, and person whose charges are dismissed based on incompetency to stand trial.

Section 8: Amends RCW 9.41.049, relating to WSP's authority to suspend a firearms permit where persons detained under RCW 71.05.

Section 9: Amends RCW 9.41.092, relating to a licensed dealer's obligation to withhold a firearms pending a background check and a ten day waiting period from the date the dealer requested the background check.

Section 10: Amends RCW 9.41.094, relating to a firearms application's waiver of confidentiality.

Section 11: Amends RCW 9.41.097, relating to the requirement for the Health Care Authority (HCA) and health care facilities to supply information relevant to a person's eligibility to possess a firearm.

Section 12: Amends RCW 9.41.0975, relating to governmental immunity for issuing firearms permits, and authorizing a writ of mandamus regarding WSP's approval of firearms applications.

Section 13: Amends RCW 9.41.110, relating to a firearms dealer's licensing obligations.

Section 14: Amends RCW 9.41.1135, relating to a firearms dealer's use of the WSP firearms background check program.

Section 15: Amends RCW 9.41.129. Provides that the Department of Licensing (DOL) shall keep records of applications to purchase firearms and firearms transfers.

Section 16: Amends RCW 9.41.345, relating to the obligations for a law enforcement agency returning a firearm.

Section 17: Amends RCW 9.41.270, making it illegal to hold a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons in an intimidating manner.

Section 18: Amends RCW 9.41.280, making it illegal to have a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons on school grounds.

Section 19: Amends RCW 9.41.282, making it illegal to have a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons in child care facilities.

Section 20: Amends RCW 9.41.284, making it illegal to have a firearms permit if convicted of the crime set forth in subsection (1), which relates to carrying firearms or other weapons in facilities linked to voting or student engagement.

Section 21: Amends RCW 9.41.800, relating to a court's obligation to order the surrender of, and prohibition against having, a firearms permit under certain circumstances.

Section 22: Amends RCW 9.41.801, relating to service of court orders that require the surrender of firearms permits.

Section 23: Makes technical amendments to RCW 9.41.802, relating to the administrative officer of the courts' form for surrender of firearm permits.

Section 24: Makes technical amendments to RCW 9.41.804.

Section 25: Makes technical amendments to RCW 9.41.815.

Section 26: Makes technical amendments to RCW 7.105.305, relating to civil protection orders.

Section 27: Makes technical amendments to RCW 7.105.310, relating to civil protection orders.

Section 28: Makes technical amendments to RCW 7.105.330, relating to civil protection orders.

Section 29: Makes technical amendments to RCW 7.105.335, relating to civil protection orders.

Section 30: Makes technical amendments to RCW 7.105.340, relating to civil protection orders.

Section 31: Makes amendments to RCW 7.105.350, relating to WSP's authority to revoke a firearm permit upon receipt of any extreme risk civil protection order.

Section 32: Makes technical amendments to RCW 7.105.570, relating to civil protection orders.

Section 33: Makes technical amendments to RCW 10.31.100, relating to arrests without warrants.

Section 34: Makes technical amendments to RCW 10.99.030, relating to the law enforcement response to domestic violence.

Section 35: Makes technical amendments to RCW 10.99.033, relating to the law enforcement response to domestic violence.

Section 36: Makes technical amendments to RCW 10.99.040, relating to the law enforcement response to domestic

violence.

Section 37: Makes technical amendments to RCW 11.130.257, relating to guardianships and conservatorships.

Section 38: Makes technical amendments to RCW 26.09.060, relating to protection orders in dissolution proceedings.

Section 39: Makes technical amendments to RCW 71.05.182, relating to a six month suspension of the right to possess firearms after detention relating to a behavioral health disorders.

Section 40: Makes technical amendments to RCW 72.23.080, relating to voluntary patients in state hospitals.

Section 41: Repealing a statutory provision.

Section 42: Providing an effective date of July 1, 2025.

Section 43: Providing that if specific funding for this act is not provided by June 30, 2023, the act is null and avoid.

## **II. B - Cash receipts Impact**

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

The client agency is the Washington State Patrol (WSP). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

### **AGO AGENCY ASSUMPTIONS:**

WSP will be billed for non-Seattle rates:

FY 2024: \$8,000 for 0.03 Assistant Attorney General FTE (AAG) and 0.02 Legal Assistant 3 FTE (LA)

FY 2025: \$166,000 for 0.65 AAG and 0.33 LA.

FY 2026: \$374,000 for 1.46 AAG and 0.73 LA.

FY 2027: \$464,000 for 1.81 AAG and 0.91 LA.

FY 2028: \$557,000 for 2.17 AAG and 1.09 LA.

FY 2029 and in each FY thereafter: \$650,000 for 2.54 AAG and 1.27 LA.

## **II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Attorney General's Office (AGO) Agency Assumptions:

Legal services associated with the enactment of this bill will begin on January 1, 2025.

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

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

Agency administration support FTE are included in the tables. The Management Analyst 5 (MA), is used as a

representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of an MA.

Assumptions for the AGO Government Compliance and Enforcement Division's (GCE) Legal Services for Washington State Patrol (WSP):

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

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

Section 5 of the bill would require WSP to establish a program to provide certifications for firearms safety training programs that meet the requirements contained in Section 3 of the bill. Although GCE does not anticipate that this would be a heavily regulated program, GCE assumes that WSP would seek legal advice during the establishment of the program, most of which would occur prior to the effective date of the act as follows: 35 AAG hours in FY 2024, 20 AAG hours in FY 2025, and 10 AAG hours per year beginning in FY 2026 and continuing thereafter. Additionally, GCE assumes that most training programs currently in operation would seek certification in FY 2025 and FY 2026, and that applicants denied certification and would be entitled to a hearing under the Administrative Procedure Act. However, because a denial of a training certification could be easily cured by amending the instructional components of the program, we assume that GCE would receive no more than one new litigation referral in each of FY 2025 and FY 2026, which would utilize 30 AAG hours in each of those years.

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

GCE assumes that WSP would seek legal advice relating to the development of rules for the permitting program. GCE further assumes that the advice would be prior to the effective date of the act, and would generate 20 AAG hours of new work in FY 2024 and 5 AAG hours of new work in FY 2025.

Section 12 would allow an individual whose application for a permit was denied or whose permit was revoked to seek a writ of mandamus in a court of competent jurisdiction. The court would be required to provide an expedited hearing and an individual who was granted a writ of mandamus would be entitled to reasonable attorneys' fees and costs.

Although it is unclear whether the drafters intended for a writ of mandamus to be the sole remedy for a denial or revocation of a permit, for the following reasons GCE assumes it is. Mandamus is an extraordinary remedy that is not available for actions reviewable under the Administrative Procedure Act (APA). If the drafters intended the permit denials and revocations to be reviewable under the APA, all administrative remedies would have to be exhausted before mandamus could be sought. This would conflict with the language in Section 12, which seems to give any party the right to seek mandamus as an initial matter. Additionally, if the administrative process had to be exhausted first, there would be no need for an expedited hearing on a mandamus action. Also, unlike a court, most constitutional issues could not be decided in an APA action, and GCE anticipates the denial or revocation of a permit to purchase a firearm likely would raise constitutional issues. Therefore, for purposes of this fiscal note response, GCE assumes that the drafters intended to foreclose APA review of denials and revocations in favor of a right to seek mandamus.

WSP assumes that it would begin issuing permits the second half of FY 2025 and would begin annual permit reviews the second half of FY 2026.

WSP assumes receipt of approximately 200,000 applications for permits to purchase firearms each fiscal year. This assumption is based on the historic rate of annual concealed pistol permit applications received by WSP. Like the permit to purchase firearms created by this bill, concealed pistol permits require a background check and are valid for a period of five years. Therefore, because this act takes effect the second half of FY 2025, WSP assumes it would receive 100,000 permit applications in FY 2025 and would receive 200,000 permit applications beginning FY 2026 and continuing each year thereafter.

Based on information compiled with the assistance of its federal law enforcement partners, during 2022 WSP received approximately 502,000 firearm background check requests. Of those requests, 5,426 were denied, resulting in a denial rate of approximately one percent. In 2022, WSP's federal law enforcement partners experienced an appeal rate of approximately 25 percent of its denials (460 of 1,700 denials were appealed). WSP assumes that it would experience similar denial and appeal rates for permits to purchase firearms. Therefore, WSP assumes that in FY 2025, one percent of the 100,000 applications or 1,000 annual applications would be denied, and of those 1,000 denials, 25 percent or 250 applicants would seek to challenge their denials. Beginning FY 2026 and continuing each year thereafter, WSP assumes that it would deny 2,000 permit applications, and of those 2,000 denials, 25 percent or 500 applicants would seek to challenge their denials.

Due to some of the conditions that may result in ineligibility to purchase a firearm are temporary in nature and may be subject to correction, WSP assumes that it would create an informal internal appeal process, similar to that created for firearm background check denials. WSP further assumes that approximately 85 percent of the applicants seeking to challenge their denials would avail themselves of that process exclusively, and that the remaining 15 percent of the denied applicants would pursue a legal challenge as allowed by Section 12 of this bill. Therefore, in FY 2025, 15 percent of 250 denials or approximately 37 denials would be challenged in court. Beginning in FY 2026, 15 percent of 500 denials or 75 denials would be challenged in court on an annual basis. GCE assumes that each mandamus action would utilize an average of 30 AAG hours to litigate to completion, resulting in 1,110 AAG hours (37 x 30) of new work in FY 2025 and 2,250 AAG hours (75 x 30) of new work beginning in FY 2026 and continuing each year thereafter.

Beginning the second half of FY 2026, WSP would begin annual permit reviews. WSP assumes that denials from annual reviews would occur at a lower rate than upon initial application and that approximately 0.5 percent of existing permit holders would be revoked on an annual basis.

WSP assumes that the revocations of permits would experience a lower rate of appeals than the initial denials because many of the individuals would have already purchased a firearm by the time their permit was revoked, and that only 15 percent of the revocations would appeal. Finally, as with the initial denials, WSP assumes that of the appeals, the majority would be resolved through an informal process, with the remaining 15 percent seeking to challenge the revocation in court, as allowed by Section 12 of this bill. Therefore, in FY 2026, 99,000 issued permits would yield 495 revocations, with approximately 74 of those revocations seeking to appeal, and approximately 11 of those seeking to litigate their action in court. In FY 2027, 296,505 issued permits would yield approximately 1,482 revocations, with approximately 222 of those revocations seeking to appeal, and approximately 33 of those seeking to litigate their actions in court. In FY 2028 493,023 issued permits would yield approximately 2,465 revocations, with approximately 370 of those revocations seeking to appeal, and approximately 55 of those seeking to litigate their actions in court. In FY 2029, 688,558 issued permits would yield approximately 3,442 revocations, with approximately 516 of those revocations seeking to appeal, and approximately 77 of those seeking to litigate their actions in court. As with the denials, GCE assumes that each revocation action would utilize an average of 30 AAG hours to litigate to completion, resulting in the following new work: FY 2026 – 330 AAG hours (11 x 30); FY 2027 – 990 AAG hours (33 x 30); FY 2028 – 1,650 AAG hours (55 x 30); FY 2029 – 2,310 AAG hours (77 x 30).

As a result of this legislative proposal, GCE assumes would see the following total workload increases:  
FY 2024 - 55 AAG hours (35 + 20);

FY 2025 – 1,165 AAG hours (20 + 30 + 5 + 1110);  
 FY 2026 – 2,620 AAG hours (10 + 30 + 2,250 + 330);  
 FY 2027 – 3,250 AAG hours (10 + 2,250 + 990);  
 FY 2028 – 3,910 AAG hours (10 + 2,250 + 1,650); and  
 FY 2029 – 4,570 AAG hours (10 + 2,250 + 2,310).

GCE: Total non-Seattle workload impact:

FY 2024: \$8,000 for 0.03 AAG and 0.02 LA.  
 FY 2025: \$166,000 for 0.65 AAG and 0.33 LA.  
 FY 2026: \$374,000 for 1.46 AAG and 0.73 LA.  
 FY 2027: \$464,000 for 1.81 AAG and 0.91 LA.  
 FY 2028: \$557,000 for 2.17 AAG and 1.09 LA.  
 FY 2029 and in each FY thereafter: \$650,000 for 2.54 AAG and 1.27 LA.

The AGO Licensing & Administrative Law Division (LAL) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Department of Licensing (DOL). The bill does impose a significant record keeping requirement, requiring DOL to maintain records for all firearms purchases/transfers (as opposed to only pistols and semi-automatic rifles), but no other new significant additional duties or responsibilities. In addition, this bill would implement a new consolidated background check system and firearms purchaser training requirements. WSP has responsibility for these changes, however, not DOL. AAG legal services provided by LAL could include providing advice regarding interpretation of the law, that a licensee would challenge an automatic revocation based on a sale without the purchaser meeting the prerequisites, advice on Public Records Act requests for the new firearms records, and constituent correspondence related to the new firearms requirements, especially prior to and immediately after the bill becomes effective. New legal services are nominal, and costs are not included in this request.

The AGO Solicitor General’s Office (SGO), Administrative Division (ADM) and Complex Litigation Division (COM) have reviewed this bill and determined it will not significantly increase or decrease the division’s workload. New legal services are nominal, and costs are not included in this request.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
405-1	Legal Services Revolving Account	State	8,000	166,000	174,000	838,000	1,207,000
<b>Total \$</b>			8,000	166,000	174,000	838,000	1,207,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	1.1	0.6	2.9	4.1
A-Salaries and Wages	5,000	110,000	115,000	554,000	798,000
B-Employee Benefits	2,000	36,000	38,000	181,000	260,000
C-Professional Service Contracts					
E-Goods and Other Services	1,000	19,000	20,000	98,000	141,000
G-Travel		1,000	1,000	5,000	8,000
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>	8,000	166,000	174,000	838,000	1,207,000

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Assistant Attorney General	118,700	0.0	0.7	0.3	1.6	2.4
Legal Assistant 3	55,872	0.0	0.3	0.2	0.8	1.2
Management Analyst 5	91,524		0.2	0.1	0.4	0.6
<b>Total FTEs</b>		0.1	1.1	0.6	2.9	4.1

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Government Compliance & Enforcement Division (GCE)	8,000	166,000	174,000	838,000	1,207,000
<b>Total \$</b>	8,000	166,000	174,000	838,000	1,207,000

**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> 1143 2S HB	<b>Title:</b> Firearms/purchase & transfer	<b>Agency:</b> 225-Washington State Patrol
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
State Firearms Backgrd Check System Acct-Non-Appropriated 24T-6		2,500,000	2,500,000	10,000,000	10,000,000
<b>Total \$</b>		2,500,000	2,500,000	10,000,000	10,000,000

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

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.8	34.5	19.2	39.0	39.0
<b>Account</b>					
General Fund-State 001-1	875,989	2,430,201	3,306,190	1,495,120	1,891,120
State Firearms Backgrd Check System Acct-Non-Appropriated 24T-6	0	2,500,000	2,500,000	10,000,000	10,000,000
<b>Total \$</b>	875,989	4,930,201	5,806,190	11,495,120	11,891,120

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

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact:	Phone:	Date: 02/27/2023
Agency Preparation: Michael Middleton	Phone: (360) 596-4072	Date: 02/27/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 02/27/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/28/2023

## 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 second substitute legislation continues to have an indeterminate fiscal impact to the Washington State Patrol (WSP). All our previous assumptions remain.

New Section 43 adds a "null and void" clause should funding, specific to the bill purposes, not be appropriated by June 30, 2023.

New Section 42 in the proposed substitution changes the effective date of the legislation from July 1, 2024 to January 1, 2025.

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

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

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

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

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

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

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

### II. B - Cash receipts Impact

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

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

For illustrative purposes, we will assume 200,000 permit applications processed annually and original and renewal permit fees to be \$25. If program implementation begins January 1, 2025, rather than July 1, 2024, the number of permit applications in FY 2025 will be 100,000, resulting in \$2.5M in cash receipts. For FY 2026 and thereafter cash receipts would equal \$5M annually.

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

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

## II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Our overall fiscal impact has increased slightly as a result of the recent change to our approved indirect cost rate which becomes effective July 1, 2023.

The change in effective date under the proposed substitute shifts the fiscal impacts by six months changing the cost estimates for FY 2024 and FY 2025 from the original bill.

Projected expenditures are indeterminate. For illustrative purposes we will use 100,000 applications for FY 2025 based on 6 months of operation and an annual 200,000 applications for FY 2026 and thereafter to estimate contributing costs.

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

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

Subsection 11(2) will require the Attorney General's Office (AGO) to provide legal representation for us. The AGO estimates they will bill us \$166,000 in FY 2025, \$374,000 in FY 2026, \$464,000 in FY 2027, \$557,000 in FY 2028, and \$677,000 in FY 2029. AGO also estimates billing us \$8,000 in FY 2024 for the AGO to assist us with rules and procedures for the training certification program identified in Section 5 and the permitting activities identified in Section 2.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We compute estimated support expenditures such as supplies & materials, communications, computer costs (hardware and software), vehicle and vehicle operating costs, among others, using average costs to support agency FTEs. We adjust the estimated support costs to reflect the needs of individual divisions or positions within the agency.

We base our estimate for agency indirect costs on the federal indirect cost rate of 33.41 percent approved by the U.S.

Department of Transportation on February 14, 2023. This rate is effective July 1, 2023, and is used on all estimates completed after the approval date. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

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

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	875,989	2,430,201	3,306,190	1,495,120	1,891,120
24T-6	State Firearms Backgrd Check System Acct	Non-Appropriated	0	2,500,000	2,500,000	10,000,000	10,000,000
<b>Total \$</b>			875,989	4,930,201	5,806,190	11,495,120	11,891,120

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	3.8	34.5	19.2	39.0	39.0
A-Salaries and Wages	280,798	2,197,416	2,478,214	4,940,352	4,940,352
B-Employee Benefits	104,680	881,902	986,582	1,988,804	1,988,804
C-Professional Service Contracts	40,000	20,000	60,000	40,000	40,000
E-Goods and Other Services	250,547	595,518	846,065	1,746,752	2,142,752
G-Travel	7,000	43,800	50,800	98,400	98,400
J-Capital Outlays	42,933	62,963	105,896	142,350	142,350
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Indirect Costs	150,031	1,128,602	1,278,633	2,538,462	2,538,462
<b>Total \$</b>	875,989	4,930,201	5,806,190	11,495,120	11,891,120

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

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Correctional Records Technician	55,872	1.8	24.5	13.1	28.0	28.0
IT System Administration - Journey	105,060	0.3	1.0	0.7	1.0	1.0
Management Analyst 3	71,520	1.0	4.5	2.8	5.0	5.0
Management Analyst 4	82,896	0.3	3.5	1.9	4.0	4.0
WMS 3	111,516	0.5	1.0	0.8	1.0	1.0
<b>Total FTEs</b>		3.8	34.5	19.2	39.0	39.0

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

NONE

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

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

NONE

### **IV. C - Capital Budget Breakout**

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

NONE

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

NONE

## **Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1143 2S HB	<b>Title:</b> Firearms/purchase & transfer	<b>Agency:</b> 240-Department of Licensing
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-State 001-1		(414,000)	(414,000)	(1,656,000)	(1,656,000)
<b>Total \$</b>		(414,000)	(414,000)	(1,656,000)	(1,656,000)

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.0	0.5	2.0	2.0
<b>Account</b>					
General Fund-State 001-1	373,000	103,000	476,000	414,000	414,000
<b>Total \$</b>	373,000	103,000	476,000	414,000	414,000

### Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact:	Phone:	Date: 02/27/2023
Agency Preparation: Gina Rogers	Phone: 360-634-5036	Date: 02/28/2023
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 02/28/2023
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 02/28/2023

## 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.

See attached fiscal note

### II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Please see attached fiscal note.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	373,000	103,000	476,000	414,000	414,000
<b>Total \$</b>			373,000	103,000	476,000	414,000	414,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.0	0.5	2.0	2.0
A-Salaries and Wages		47,000	47,000	188,000	188,000
B-Employee Benefits		22,000	22,000	90,000	90,000
C-Professional Service Contracts					
E-Goods and Other Services	373,000	34,000	407,000	136,000	136,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	373,000	103,000	476,000	414,000	414,000

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Customer Service Specialist 2	46,980		1.0	0.5	2.0	2.0
<b>Total FTEs</b>			1.0	0.5	2.0	2.0

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

NONE

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

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

NONE

### **IV. C - Capital Budget Breakout**

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

NONE

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

NONE

## **Part V: New Rule Making Required**

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

Please see attached fiscal note.



# Individual State Agency Fiscal Note

Agency 240 – Department of Licensing

Bill Number: 2SHB 1143

Bill Title: Firearms/purchase and transfer

**Part 1: Estimates**

No Fiscal Impact

**Estimated Cash Receipts:**

Revenue	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	-	(414,000)	(414,000)	(1,656,000)	(1,656,000)
<b>Account Totals</b>		-	<b>(414,000)</b>	<b>(414,000)</b>	<b>(1,656,000)</b>	<b>(1,656,000)</b>

**Estimated Expenditures:**

		FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
FTE Staff Years		-	1.0	0.5	2.0	2.0
Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	373,000	103,000	476,000	414,000	414,000
<b>Account Totals</b>		<b>373,000</b>	<b>103,000</b>	<b>476,000</b>	<b>414,000</b>	<b>414,000</b>

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

Check applicable boxes and follow corresponding instructions.

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

Legislative Contact: Edie Adams	Phone: (360) 786-7180	Date:
Agency Preparation: Gina Rogers	Phone: (360) 634-5036	Date: 2/27/23
Agency Approval: Gerrit Eades	Phone: (360) 902-3931	Date:

Request #	2
Bill #	1143 SHB

## Part 2 – Explanation

This bill implements a permit to purchase system for firearms, sets new requirements for firearms dealers related to purchases and transfers, and requires DOL to begin retaining records for all firearms types.

The second substitute bill version adds a null and void clause, making the bill subject to legislative appropriations. This change does not impact current DOL bill impacts.

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

The substitute bill version makes the following changes:

- Amends the exemption from firearms safety training
- Allows LEAs taking fingerprints to charge a fee
- Allows the HCA and health care facilities to release information to LEAs relevant to the eligibility to purchase a firearm
- **Requires DOL to retain records for all firearm transfers rather than just pistol and SAR transfers**
- Sets a new effective date of January 1, 2025

### **2.B - Cash receipts Impact**

There will be a loss in revenue as the fee related to SAR purchases and transfers will not be collected by Department of Licensing.

Revenue	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	-	(414,000)	(414,000)	(1,656,000)	(1,656,000)
<b>Account Totals</b>		<b>-</b>	<b>(414,000)</b>	<b>(414,000)</b>	<b>(1,656,000)</b>	<b>(1,656,000)</b>

### **2.C – Expenditures**

Information Services:

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

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

#### ***What IS Will Implement:***

- Create an interface that allows the WSP SAFE system to send firearm transfer data to DOL's firearms system electronically.
- Update DOL firearms system logic to consume data from WSP SAFE system.
- Create file to send firearms dealer license status data to WSP.

- Remove process to accept \$18 SAR fee.
- Disable access for Firearms Dealers to Firearms Online.
- Add 4 new firearm types - Long and Shot guns, and Frames and Receivers.
- Add system logic for new firearm types.
- Update systems to capture Permit to Purchase identification number.

**Assumptions:**

- DOL will not accept / process paper Firearm Transfer applications from Firearm dealers. Copies of transfer records from Firearm dealers will be sent to WSP then from WSP to DOL.
- No forms need to be updated in the Firearm Systems because data is received directly from WSP.
- No changes are needed to existing SAR, Pistol, or Revolver Firearm Types.
- No fees will be collected for the new Firearm types.
- Fields used to capture data elements for SARs, Pistol and Revolvers will be the same field types for new Firearm Types.
- DOL will not provide permit to purchase identification number through WSP Switch.
- Permit to purchase will only be captured in the system and not included on reports.

**Project Duration:** 6 months

**Effective Date:** 1/1/2025

Cost Category	Description	Rate	2024	2025	2026	2027	2028	2029	Total Cost
TESTER	Test to verify individual components meet requirements; ensure that other business transactions have not been impacted.	\$ 22,620	76,900	-	-	-	-	-	76,900
BUSINESS ANALYST	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	\$ 16,530	14,900	-	-	-	-	-	14,900
PROJECT MANAGER	Manage schedule and contracts	\$ 28,710	20,100	-	-	-	-	-	20,100
QUALITY ASSURANCE	Plan and carry out activities to assure project deliverables; e.g. preventative defect activities, align quality measures and business objectives.	\$ 37,410	56,100	-	-	-	-	-	56,100
SECURITY AND ARCHITECT SERVICES	Create the conceptual model that defines the structure, behavior and framework of a computerized system including a breakdown of the system into components, the component interactions and interfaces (including with the environment, especially the user), and the technologies and resources to be used in the design.	\$ 16,530	8,300	-	-	-	-	-	8,300
DEVELOPERS	Modify programming and coding to all major systems	\$ 19,140	86,100	-	-	-	-	-	86,100
Trainer	Trains business partners and employees in new system processes and capabilities.	\$ 22,620	20,400	-	-	-	-	-	20,400
Organizational Change Management	Prepares stakeholders for the change and develops strategies to ensure the changes are fully adopted.	\$ 37,410	56,100	-	-	-	-	-	56,100
Project Contingency	Office of the Chief Information Officer designated rate of 10%	\$ 25,474	33,900	-	-	-	-	-	33,900
<b>Totals</b>			<b>372,800</b>	-	-	-	-	-	<b>372,800</b>

### Part 3 – Expenditure Detail

#### 3.A – Operating Budget Expenditures

Operating Expenditures	Fund	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
General Fund	001	373,000	103,000	476,000	414,000	414,000
<b>Account Totals</b>		<b>373,000</b>	<b>103,000</b>	<b>476,000</b>	<b>414,000</b>	<b>414,000</b>

#### 3.B – Expenditures by Object or Purpose

Object of Expenditure	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total	
FTE Staff Years	0.0	1.0	0.5	2.0	2.0	
Salaries and Wages	-	47,000	47,000	188,000	188,000	
Employee Benefits	-	22,000	22,000	90,000	90,000	
Goods and Services	373,000	34,000	407,000	136,000	136,000	
<b>Total By Object Type</b>		<b>373,000</b>	<b>103,000</b>	<b>476,000</b>	<b>414,000</b>	<b>414,000</b>

#### 3.C – FTE Detail

Staffing	Salary	FY 24	FY 25	23-25 Total	25-27 Total	27-29 Total
Customer Service Specialist 2	46,980	0.0	1.0	0.5	2.0	2.0
<b>Total FTE</b>		<b>0.0</b>	<b>1.0</b>	<b>0.5</b>	<b>2.0</b>	<b>2.0</b>

#### CUSTOMER SERVICE SPECIALIST 2

Class Code: 102B

Category: Administrative Services

Salary Range: 37

Start date 1/1/25

Expanding DOLs record keeping requirements to all types of firearms will create an increase in transfer records the agency receives per year. We estimate this will be approximately 251,000 records including long guns and “other” firearms, based on information from the NICS background check database.

Utilizing minimum standard processing requirements per hour, we have determined this effort will require two Customer Service Specialist 2 FTEs to accomplish this additional workload.

### Part 4 – Capital Budget Impact

None.

### Part 5 – New Rule Making Required

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

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1143 2S HB

Title: Firearms/purchase & transfer

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

### Legislation Impacts:

- Cities: Police departments could charge a fingerprinting fee that is equivalent to law enforcements' cost to provide the fingerprinting service.
- Counties: Same as above for sheriff's offices.
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to: The number of people living in police or sheriffs' jurisdictions who will purchase a firearm and require fingerprinting services.

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option: Local law enforcement agencies would be allowed to charge a fingerprinting fee equivalent to law enforcements' cost to provide the fingerprinting service.
- Key variables cannot be estimated with certainty at this time: The number of people who will solicit fingerprinting services.

### Estimated revenue impacts to:

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

### Estimated expenditure impacts to:

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

## Part III: Preparation and Approval

Fiscal Note Analyst: Kate Fernald	Phone: 564-200-3519	Date: 03/06/2023
Leg. Committee Contact:	Phone:	Date: 02/27/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 03/06/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 03/06/2023

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

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

#### **CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The second substitute version of the bill adds that if specific funding for the purposes of this act are not provided by June 30, 2023 in the omnibus appropriations act, then this act is null and void.

#### **SUMMARY OF CURRENT BILL:**

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

Sec. 2 (11) (iii): In addition to the permit application fee, an applicant for an original permit must pay the fingerprint processing fee under RCW 43.43.742.

Section Sec. 6 adds a new section to chapter 9.41 RCW: A local law enforcement agency taking fingerprints pursuant to section 2 of this act may charge a reasonable fee to recover as nearly as practicable the direct and indirect costs to the local law enforcement agency of taking and transmitting the fingerprints.

Sec. 30 amends RCW 7.105.340. A law enforcement officer serving any extreme risk protection order under this chapter, shall request that the respondent immediately surrender a permit to purchase firearms issued under section 2 of this act. At the time of surrender, a law enforcement officer taking possession of a firearm, concealed pistol license, or permit to purchase firearms shall issue a receipt identifying all firearms that have been surrendered and provide a copy of the receipt to the respondent. The law enforcement agency shall transfer a surrendered permit to purchase firearms to the Washington state patrol firearms background check program.

Sec. 34 amends RCW 10.99.030. The primary duty of peace officers, when responding to a domestic violence situation, is to enforce the laws allegedly violated and to protect the complaining party. The peace officer shall:

- separate the parties, then ask the victim whether the alleged abuser has an active concealed pistol license or permit to purchase firearms.
- document all information permits to purchase firearms in the incident report.
- give each person immediate notice of the legal rights and remedies available. The notice shall be modified to include information about court orders concerning permits to purchase firearms.

Sec. 35 amends RCW 10.99.033. The Criminal Justice Training Commission shall include in its basic law enforcement curriculum information on understanding the risks of traumatic brain injury posed by domestic violence.

Sec. 43 adds a new section. If specific funding for the purpose of this act is not provided by June 30, 2023 in the omnibus appropriations act, then this act is null and void.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

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

#### **CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The second substitute version of the bill does not impact local government expenditures.

#### **EXPENDITURE IMPACTS OF CURRENT BILL:**

The legislation would require gun permit applicants to get fingerprinted at the local law enforcement agency where they live. As a result, local law enforcement agencies would experience an increased demand for fingerprinting services, and would incur additional expenditures related to providing the service. However, the substitute version of the bill would allow

law enforcement agencies to charge a fingerprinting fee, which would allow law enforcement to recover any costs they incurred for providing fingerprinting services.

The number of people that will solicit fingerprinting services and the additional staff costs incurred by agencies for providing the service cannot be known in advance. Therefore, the additional expenditures law enforcement will incur are indeterminate, but those expenditures would be recovered by the fingerprinting fees local law enforcement agencies could collect.

All other requirements of the legislation would have a de minimis impact to law enforcement.

### **C. SUMMARY OF REVENUE IMPACTS**

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

#### **CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The second substitute version of the bill would not impact local government revenue.

#### **REVENUE IMPACTS OF CURRENT BILL:**

City and county law enforcement agencies would experience increased revenue if they provided fingerprinting services to gun permit applicants because the legislation would allow law enforcement agencies to charge a fingerprinting fee that is equivalent to the agency's cost to provide the service.

The number of applicants that will solicit fingerprinting services, and the corresponding revenue fingerprinting fees would generate cannot be known in advance. Therefore, the revenue impact is indeterminate, but it would be directly proportionate to local law enforcements' cost to provide the fingerprinting service.

#### **SOURCES:**

Washington Association of Sheriffs and Police Chiefs



# Multiple Agency Ten-Year Analysis Summary

<b>Bill Number</b> 1143 2S HB	<b>Title</b> Firearms/purchase & transfer
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This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

## Estimated Cash Receipts

	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Administrative Office of the Courts	0	0	0	0	0	0	0	0	0	0	0
Office of the Governor	0	0	0	0	0	0	0	0	0	0	0
Office of Attorney General	0	0	0	0	0	0	0	0	0	0	0
Washington State Patrol Indeterminate Impact	0	0	0	0	0	0	0	0	0	0	0
Department of Licensing	0	-414,000	-414,000	-414,000	-414,000	-414,000	-414,000	-414,000	-414,000	-414,000	-3,726,000
<b>Total</b>	<b>0</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-414,000</b>	<b>-3,726,000</b>



# Ten-Year Analysis

<b>Bill Number</b> 1143 2S HB	<b>Title</b> Firearms/purchase & transfer	<b>Agency</b> 055 Administrative Office of the Courts
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                         
  **Partially Indeterminate Cash Receipts**
                         
  **Indeterminate Cash Receipts**

<b>Name of Tax or Fee</b>	<b>Acct Code</b>											
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Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 2/28/2023 3:11:44 pm
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 2/28/2023 3:11:44 pm
OFM Review:	Phone:	Date:



# Ten-Year Analysis

<b>Bill Number</b> 1143 2S HB	<b>Title</b> Firearms/purchase & transfer	<b>Agency</b> 075 Office of the Governor
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                         
  **Partially Indeterminate Cash Receipts**
                         
  **Indeterminate Cash Receipts**

<b>Name of Tax or Fee</b>	<b>Acct Code</b>												
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Agency Preparation: Tracy Sayre	Phone: 360-890-5279	Date: 2/27/2023 4:15:45 pm
Agency Approval: Jamie Langford	Phone: (360) 870-7766	Date: 2/27/2023 4:15:45 pm
OFM Review:	Phone:	Date:



# Ten-Year Analysis

<b>Bill Number</b> 1143 2S HB	<b>Title</b> Firearms/purchase & transfer	<b>Agency</b> 100 Office of Attorney General
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                         
  **Partially Indeterminate Cash Receipts**
                         
  **Indeterminate Cash Receipts**

<b>Name of Tax or Fee</b>	<b>Acct Code</b>												
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Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 3/2/2023 9:44:33 am
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 3/2/2023 9:44:33 am
OFM Review:	Phone:	Date:



# Ten-Year Analysis

<b>Bill Number</b> 1143 2S HB	<b>Title</b> Firearms/purchase & transfer	<b>Agency</b> 225 Washington State Patrol
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                         
  **Partially Indeterminate Cash Receipts**
                         
  **Indeterminate Cash Receipts**

## Estimated Cash Receipts

Name of Tax or Fee	Acct Code											
<b>Total</b>												

### Biennial Totals

## Narrative Explanation (Required for Indeterminate Cash Receipts)

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

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

For illustrative purposes, we will assume 200,000 permit applications processed annually and original and renewal permit fees to be \$25. If program implementation begins January 1, 2025, rather than July 1, 2024, the number of permit applications in FY 2025 will be 100,000, resulting in \$2.5M in cash receipts. For FY 2026 and thereafter cash receipts would equal \$5M annually.

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



# Ten-Year Analysis

<b>Bill Number</b> 1143 2S HB	<b>Title</b> Firearms/purchase & transfer	<b>Agency</b> 225 Washington State Patrol
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Agency Preparation: Michael Middleton	Phone: (360) 596-4072	Date: 2/27/2023 6:16:04 pm
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 2/27/2023 6:16:04 pm
OFM Review:	Phone:	Date:



# Ten-Year Analysis

<b>Bill Number</b> 1143 2S HB	<b>Title</b> Firearms/purchase & transfer	<b>Agency</b> 240 Department of Licensing
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                 
  **Partially Indeterminate Cash Receipts**
                 
  **Indeterminate Cash Receipts**

## Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Semi-Automatic Rifle Fee	001		(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(3,726,000)
<b>Total</b>			(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(414,000)	(3,726,000)
<b>Biennial Totals</b>			(414,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(828,000)	(3,726,000)

## Narrative Explanation (Required for Indeterminate Cash Receipts)

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

Agency Preparation: Gina Rogers	Phone: 360-634-5036	Date: 2/28/2023 9:37:43 am
Agency Approval: Gerrit Eades	Phone: (360)902-3863	Date: 2/28/2023 9:37:43 am
OFM Review:	Phone:	Date: