

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1424 P E S HB S-2352.1/23	<b>Title:</b> Dogs and cats/consumers
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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 Administrative Hearings	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	0	0	0	0	0	0	0	0	0

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other	Fiscal note not available					
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	0	0	0	.0	0	0	0	.0	0	0	0
Office of Administrative Hearings	Non-zero but indeterminate cost and/or savings. Please see discussion.											
<b>Total \$</b>	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
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 Administrative Hearings	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other	Fiscal note not available								
Local Gov. Total									

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Cheri Keller, OFM	<b>Phone:</b> (360) 584-2207	<b>Date Published:</b> Preliminary 3/22/2023
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# Judicial Impact Fiscal Note

<b>Bill Number:</b> 1424 P E S HB S-2352.1/23	<b>Title:</b> Dogs and cats/consumers	<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:**

NONE

**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.

Legislative Contact: Kellee Gunn	Phone: 786-7429	Date: 03/17/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 03/21/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/21/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 03/21/2023

186,652.00

Request # 254-1

## Part II: Narrative Explanation

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

The proposed substitute would not change fiscal impacts to the Administrative Office of the Courts or the courts.

The bill would allow address consumer protections with respect to the sale of cats and dogs and prescribes civil penalties.

### II. B - Cash Receipts Impact

None. The new civil penalty in the bill is administrative and any appeal would go to the Office of Administrative hearings. There would be no impact to courts or court revenue.

### II. C - Expenditures

None.

## Part III: Expenditure Detail

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

NONE

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

NONE

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

NONE

### III. D - FTE Detail

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

### IV. C - Capital Budget Breakout

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

NONE

186,652.00

Form FN (Rev 1/00)

2

Request # 254-1

Bill # 1424 P E S HB S-2352.1/23

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1424 P E S HB S-2352.1/23	<b>Title:</b> Dogs and cats/consumers	<b>Agency:</b> 110-Office of Administrative Hearings
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

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

**Estimated Operating Expenditures from:**

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

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Kellee Gunn	Phone: 786-7429	Date: 03/17/2023
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 03/22/2023
Agency Approval: Deborah Feinstein	Phone: 360-407-2717	Date: 03/22/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 03/22/2023

## 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.*

Indeterminate fiscal impact. Office of Administrative Hearings (OAH) authority to provide services for these appeals is unclear. A change is needed to chapter 34.12 RCW and 34.05 RCW in order to have jurisdiction to handle these appeals.

Section 1 allows Washington State counties to fine retail pet stores \$250 for violations of the section, and states the violation is appealable to the Office of Administrative Hearings.

Violations resulting in a citation include:

1. Sold or offered for sale at a different address;
2. Selling dogs acquired from someone other than an authorized breeder or broker;
3. Selling dogs too young;
4. Failing to maintain proper breeder records;
5. Improper advertising;
6. Improper posting of breeder or other source information;
7. Failing to disclose to potential buyers the dog or cat's purchase price and the breeders' inspection reports showing law violations over the past two years.

Work activities associated with the enactment of this bill will begin on July 1, 2023.

### 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.*

Indeterminate cash receipts.

Assuming changes in statute are made to allow OAH to handle these appeals and the counties are billed and pay for the appeals, the revenue would be recorded as General Fund Private/Local (05??) unless a new account is established or the Local Government Administrative Hearings Account (account #180 - RCW 42.41.060) is amended to handle these funds.

### 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.*

Indeterminate expenditure impact.

1. Office of Administrative Hearings (OAH) authority to provide services for these appeals is unclear. A change is needed to chapter 34.12 RCW and 34.05 RCW in order to have jurisdiction to handle these appeals.
2. Because this activity does not fall under the provisions of the Administrative Hearings Revolving Account (#484) or the Local Government Administrative Hearings Account (#180), OAH assumes billings would be recorded under General Fund Private Local revenue (05??) and expenditures would be accounted for within General Fund-Private/Local Dollars (001-7).
3. The Department of Commerce (Local) is unable to estimate the number of appeals for violations identified in this legislation.

On average, the Office of Administrative Hearings (OAH) assumes each appeal is expected to take up to 17 hours of line Administrative Law Judge (ALJ) time. This includes prehearing practice, order-writing, and the appeal.

OAH Agency Workforce Assumptions:

- (1) The Governors proposed COLA increases in FY2024 and FY2025, and Collective Bargaining Agreement increases are not included in agency cost projections. Additional funding is required if these proposals are enacted.
- (2) Ratio of 1.0 FTE line ALJ to 0.15 Senior ALJ (SALJ), to 0.6 Legal Assistant 2 (LA2) (Range 40 step L), to 0.25 administrative support Management Analyst 5 (MA5) (Range 64 Step L).
- (3) ALJ salary is based on the ALJ collective bargaining agreement and assumed to be at step L. (Line ALJ-range 70. Senior ALJ-range 74.)
- (4) Benefit rates were analyzed by job class and projected using the latest benefit information available.
- (5) Goods and services, travel and on-going capital outlays were projected based on historical data for each of the job classifications.

Ranges of Total Workload Impact are assumed to be between \$34,000 per FY and \$143,000 per FY:

Assuming 4 appeals per FY are referred to OAH, the fiscal impact is a need for 0.05 ALJ at a cost of \$15,000 per FY. This is the minimum impact OAH would normally identify new costs for.

Assuming 8 appeals per FY are referred to OAH, the fiscal impact is a need for 0.10 ALJ and 0.06 LA2 at a cost of \$29,000 per FY.

Assuming 12 appeals per FY are referred to OAH, the fiscal impact is a need for 0.15 ALJ and 0.09 LA2 at a cost of \$105,000 per FY.

Work activities associated with the enactment of this bill will begin on July 1, 2023.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

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

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

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

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

NONE

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

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

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

NONE

#### IV. C - Capital Budget Breakout

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

NONE

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

NONE

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

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