

Multiple Agency Fiscal Note Summary

Bill Number: 5405 S SB 5405-S AMH RSG H-1768.1	Title: LCB subpoena authority
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
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
Liquor and Cannabis Board	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	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									
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
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

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

Estimated Capital Budget Breakout

Prepared by: Amy Hatfield, OFM	Phone: (360) 280-7584	Date Published: Final 4/ 3/2023
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Judicial Impact Fiscal Note

Bill Number: 5405 S SB 5405-S AMH RSG H-1768.1	Title: LCB subpoena authority	Agency: 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: Peter Clodfelter	Phone: 360-786-7127	Date: 03/28/2023
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 03/30/2023
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 03/30/2023
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 04/03/2023

187,125.00

Request # 268-1

Part II: Narrative Explanation

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

The striking amendment has no fiscal impact.

The bill would amend RCW 66.08.145 (Subpoena issuing authority) to allow the Liquor and Cannabis Board to issue subpoenas in connection with any investigation, hearing, or proceeding for the production of books, records, and documents relating to the transportation or possession of cannabis.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact expected to the Administrative Office of the Courts and the courts.

Part III: Expenditure Detail

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

NONE

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

NONE

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

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

IV. C - Capital Budget Breakout

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

NONE

None

187,125.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 5405 S SB 5405-S AMH RSG H-1768.1	Title: LCB subpoena authority	Agency: 195-Liquor and Cannabis Board
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

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: Peter Clodfelter	Phone: 360-786-7127	Date: 03/28/2023
Agency Preparation: Colin O Neill	Phone: (360) 664-4552	Date: 03/30/2023
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 03/30/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 03/31/2023

Part II: Narrative Explanation

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

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

This bill adds RCW chapters 69.50 (Uniform controlled substances act) and 69.51A (Medical cannabis) as statutes under which the Washington State Liquor and Cannabis Board is given authority to issue subpoenas.

Section 1:

(2a) Provides that prior to signing, issuing, or serving a subpoena, the Liquor and Cannabis Board (LCB) must, at a minimum, first attempt to obtain production of the books, records, or documents by an informal investigative contact and by regular mail and certified mail.

(2b) Requires a subpoena issued and served by the LCB to be served by regular mail and certified mail, or in person by: (a) An enforcement officer of the LCB who graduated from the Washington State Criminal Justice Training Commission; or (b) a licensed private investigator.

(2c) Requires any individual signing, issuing, or serving a subpoena for the LCB to complete training on unconscious bias.

(2d) Requires information about how to challenge the subpoena to be provided in writing to the person subject to the subpoena with the service of a subpoena.

(2e) Requires the LCB to sign, issue, and serve subpoenas through a uniform process and procedures.

(2f) Specifies that, except as otherwise provided in the bill, the LCB is subject to the requirements and duties with respect to subpoenas imposed under Washington state superior court civil court rules in effect at the time of issuance of the subpoena, regarding: (a) The form, issuance, and service of subpoenas; and (b) the duty to take responsible steps to avoid imposing undue burden or expense on a person subject to the subpoena.

Section 2:

Requires the LCB to submit an annual report to the Legislature and Governor with information about subpoenas the LCB issued and served in the preceding year. Requires the first report to be submitted by July 1, 2024, with subsequent annual reports submitted each July 1st through July 1, 2028.

CHANGES MADE BY THE PROPOSED SUBSTITUTE:

Addition of requirements in Sections 1 and 2 as outlined above.

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.

No fiscal impact. Board subpoenas issued in current areas is limited so any impact to workload from this bill is expected to be minimal. In addition, officers already receive the outlined training and many of the required actions listed are already done by officers before requesting a subpoena.

Due to the limited number of subpoenas issued during a year, the additional reporting requirement can be met by existing staff.

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.