

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5239 SB	<b>Title:</b> Vapor & tobacco products
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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	0	0	26,000	0	0	26,000	0	0	26,000
Office of Administrative Hearings	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>26,000</b>	<b>0</b>	<b>0</b>	<b>26,000</b>	<b>0</b>	<b>0</b>	<b>26,000</b>

## 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
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Administrative Hearings	.1	0	0	26,000	.1	0	0	26,000	.1	0	0	26,000
Office of Administrative Hearings	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Revenue	.2	31,800	31,800	31,800	.0	0	0	0	.0	0	0	0
Liquor and Cannabis Board	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Health	8.1	2,390,000	2,390,000	2,390,000	3.4	789,000	789,000	789,000	3.0	708,000	708,000	708,000
University of Washington	1.8	411,479	411,479	411,479	.9	186,968	186,968	186,968	.9	186,968	186,968	186,968
<b>Total \$</b>	<b>10.2</b>	<b>2,833,279</b>	<b>2,833,279</b>	<b>2,859,279</b>	<b>4.4</b>	<b>975,968</b>	<b>975,968</b>	<b>1,001,968</b>	<b>4.0</b>	<b>894,968</b>	<b>894,968</b>	<b>920,968</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Office of Administrative Hearings	.0	0	0	.0	0	0	.0	0	0
Department of Revenue	.0	0	0	.0	0	0	.0	0	0
Liquor and Cannabis Board	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Breann Boggs, OFM	<b>Phone:</b> (360) 485-5716	<b>Date Published:</b> Final 4/13/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5239 SB	<b>Title:</b> Vapor & tobacco products	<b>Agency:</b> 100-Office of Attorney General
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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: 02/14/2023
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 02/23/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/23/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/23/2023

## 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 Attorney General's Office (AGO) Government Compliance & Enforcement Division (GCE) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Liquor and Cannabis Board (LCB). GCE litigates licensing and enforcement actions for LCB. This bill would define the term "flavored vapor product." Section 2 would permit the Department of Health (DOH) to restrict the sale of flavored vapor products upon determining that it is injurious to, or poses a significant risk to health. Section 3 would authorize DOH to determine in rule the allowable nicotine concentration for any vapor product sold or offered for sale. Section 5 would require all manufactures of nicotine-containing vapor products to disclose to DOH the concentration of nicotine in the product, and all ingredients that may be inhaled when the product is used. Section 6 would amend RCW 82.26.010 to include in the definition of "tobacco products" non-tobacco nicotine products not approved by the Food and Drug Administration (FDA). Section 7 would permit DOH to prohibit the use of a characterizing flavor, as that term is defined, in cigarettes and other tobacco products. Based on this bill, GCE assumes no legal assistance would be required. DOH currently does not restrict the sale of flavored vapor product, or pass rules limiting nicotine concentrations for vapor products. Therefore, costs are not included in this request.

The AGO University of Washington Division (UOW) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the University of Washington (UW). UOW assumes the enactment of this bill would not generate any requirements for legal services to UW. Therefore, costs are not included in this request.

The AGO Agriculture and Health Division (AHD) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Health (DOH). The enactment of this bill will not impact the provision of legal services to DOH. This bill would give DOH authority to restrict sales of potentially harmful flavored vapor products, to adopt rules setting labeling requirements, and to set nicotine limits by the State Board of Health (SBOH). Enforcement would be done by LCB. AHD assumes some legal advice will be needed for rulemaking, however, such advice is considered nominal and costs are not included in this request.

The AGO Complex Litigation Division (COM) has reviewed this bill and determined it will not significantly increase or decrease the division's workload. COM assumes no legal services would be needed to DOH. Therefore, costs are not included in this request.

The AGO Revenue and Finance Division (REV) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Revenue (DOR). The enactment of this bill will not impact the provision of legal services to DOR because Section 6 amends the definition of "tobacco products" in RCW 82.26.010. This change is unlikely to generate any requests for legal services. Therefore, costs are not included in this request.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 5239 SB	<b>Title:</b> Vapor & tobacco products	<b>Agency:</b> 110-Office of Administrative Hearings
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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
Administrative Hearings Revolving Account-State 484-1	13,000	13,000	26,000	26,000	26,000
<b>Total \$</b>	13,000	13,000	26,000	26,000	26,000

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	0.1	0.1	0.1	0.1	0.1
<b>Account</b>					
Administrative Hearings Revolving Account-State 484-1	13,000	13,000	26,000	26,000	26,000
<b>Total \$</b>	13,000	13,000	26,000	26,000	26,000

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: 02/14/2023
Agency Preparation: Pete Boeckel	Phone: 360-407-2730	Date: 02/23/2023
Agency Approval: Deborah Feinstein	Phone: 360-407-2717	Date: 02/23/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/23/2023

## 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 amends and adds to Chapter 70.345 RCW in the following ways assumed to impact the Office of Administrative Hearings (OAH).

Section 2 authorizes the state's Department of Health (DOH) and Secretary of Health to restrict the sale of flavored vapor products, as newly defined in this bill, and adopt rules necessary to implement this authority.

Section 3 further authorizes the Board of Health to set allowable nicotine concentrations in vapor products sold in the state and prohibit their sale if their nicotine concentrations exceed the set level.

Section 4 empowers DOH to require manufacturers and distributors of vapor products to label them consistently with federal agencies including the United States Food & Drug Administration.

Section 5 requires manufacturers of nicotine-containing vapor products to disclose to DOH the concentration and form of nicotine in the product, as well as all aspects of the product that could be inhaled when in use.

Under Section 7, the Secretary of Health may prohibit certain flavors in cigarettes and other tobacco products. Although this provision amends the DOH's own statutes, the Liquor and Cannabis Board is assumed to retain enforcement authority.

Work activities associated with the enactment of this bill may 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.*

As a central service agency, the Office of Administrative Hearings (OAH) bills referring agencies for its costs and collects the revenue into the Administrative Hearings Revolving Account. Cash receipts are assumed to equal costs. OAH will bill the Liquor & Cannabis Board for the costs related to this proposed legislation.

These cash receipts represent the OAH's authority to bill and are not a direct appropriation to OAH. Appropriation authority is necessary in OAH's budget.

### II. C - Expenditures

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

The Liquor & Cannabis Board estimates that the proposed legislation may have appeals referred to the Office of Administrative Hearings (OAH).

OAH assumes potential for a range of zero to six appeals per fiscal year. This request provides impact of six annual appeals, and is expected to take approximately 8.35 hours of line Administrative Law Judge (ALJ) time including prehearing conferences, hearings, order writings, etc.

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.

Potential impact beginning in FY 2024: 0.05 ALJ at a cost of \$13,000 per FY.

Legal services associated with the enactment of this bill may begin on July 1, 2023.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
484-1	Administrative Hearings Revolving Account	State	13,000	13,000	26,000	26,000	26,000
<b>Total \$</b>			13,000	13,000	26,000	26,000	26,000

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	0.1	0.1	0.1	0.1	0.1
A-Salaries and Wages	8,000	8,000	16,000	16,000	16,000
B-Employee Benefits	3,000	3,000	6,000	6,000	6,000
C-Professional Service Contracts					
E-Goods and Other Services	2,000	2,000	4,000	4,000	4,000
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>	13,000	13,000	26,000	26,000	26,000

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

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Law Judge	106,152	0.1	0.1	0.1	0.1	0.1
<b>Total FTEs</b>		0.1	0.1	0.1	0.1	0.1

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

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Regulatory & Education (REG)	13,000	13,000	26,000	26,000	26,000
<b>Total \$</b>	13,000	13,000	26,000	26,000	26,000

### 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.*

# Department of Revenue Fiscal Note

<b>Bill Number:</b> 5239 SB	<b>Title:</b> Vapor & tobacco products	<b>Agency:</b> 140-Department of Revenue
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Expenditures from:**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.1	0.2		
<b>Account</b>					
GF-STATE-State 001-1	22,400	9,400	31,800		
<b>Total \$</b>	22,400	9,400	31,800		

**Estimated Capital Budget Impact:**

NONE

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- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 02/14/2023
Agency Preparation: Van Huynh	Phone: (60) 534-1512	Date: 02/24/2023
Agency Approval: Valerie Torres	Phone: (60) 534-1521	Date: 02/24/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/25/2023

Request # 5239-1-1

## 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 fiscal note only addresses section 6 of the bill, which impacts the Department of Revenue (department).

#### CURRENT LAW:

The other tobacco products (OTP) tax does not apply to non-tobacco nicotine products not approved by the U.S. Food and Drug Administration (FDA).

#### PROPOSAL:

This bill amends the definition of "tobacco products" to include non-tobacco nicotine products not approved by the FDA.

These products will be taxed at 95% of the taxable sales price.

This bill has other provisions relating to protecting public health and safety through enhanced regulation of vapor products and tobacco products.

#### EFFECTIVE DATE:

The bill takes effect 90 days after final adjournment of the session in which it is enacted.

### 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.*

This legislation results in no revenue impact to taxes administered by the Department of Revenue (department).

Currently, it is unlawful to sell non-tobacco nicotine products not approved by the FDA.

### 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.*

#### ASSUMPTIONS:

- The department assumes only a handful of businesses may be selling non-tobacco nicotine products not approved by the FDA.

#### FIRST YEAR COSTS:

The department will incur total costs of \$22,400 in fiscal year 2024. These costs include:

Labor Costs – Time and effort equate to 0.27 FTE.

- Amend one administrative rule.
  - Answer additional phone calls and counter inquiries on tax questions and tax return preparation from businesses, individuals, and accountants.
  - Attend implementation meetings, work complex accounts, and conduct audit case reviews.

#### SECOND YEAR COSTS:

The department will incur total costs of \$9,400 in fiscal year 2025. These costs include:

Labor Costs – Time and effort equate to 0.1 FTE.  
 - Work complex accounts and conduct audit case reviews.

ONGOING COSTS:  
 There are no ongoing costs.

### Part III: Expenditure Detail

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.1	0.2		
A-Salaries and Wages	13,100	6,200	19,300		
B-Employee Benefits	4,300	2,000	6,300		
E-Goods and Other Services	3,400	900	4,300		
J-Capital Outlays	1,600	300	1,900		
<b>Total \$</b>	<b>\$22,400</b>	<b>\$9,400</b>	<b>\$31,800</b>		

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
EMS BAND 4	126,619	0.0		0.0		
EXCISE TAX EX 3	61,632	0.1	0.1	0.1		
MGMT ANALYST4	73,260	0.0		0.0		
TAX INFO SPEC 1	44,808	0.1		0.1		
TAX POLICY SP 2	75,120	0.0		0.0		
TAX POLICY SP 3	85,020	0.0		0.0		
TAX POLICY SP 4	91,524	0.0		0.0		
WMS BAND 3	107,685	0.0		0.0		
<b>Total FTEs</b>		<b>0.3</b>	<b>0.1</b>	<b>0.2</b>		

#### III. C - 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

## Part V: New Rule Making Required

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

Should this legislation become law, the department will use the expedited process to amend WAC 458-20-185, titled: "Tax on tobacco products." Persons affected by this rulemaking would include buyers and sellers of non-tobacco nicotine products not approved by the FDA.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5239 SB	<b>Title:</b> Vapor & tobacco products	<b>Agency:</b> 195-Liquor and Cannabis Board
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

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

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

<b>Legislative Contact:</b>	<b>Phone:</b>	<b>Date:</b> 02/14/2023
Agency Preparation: Colin O Neill	Phone: (360) 664-4552	Date: 02/22/2023
Agency Approval: Aaron Hanson	Phone: 360-664-1701	Date: 02/22/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/23/2023

## 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) "Flavored vapor products" means any vapor product that contains a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to or during the consumption of a vapor product including, but not limited to, any taste or smell relating to fruit, menthol, mint, wintergreen, chocolate, cocoa, vanilla, or honey, or any candy, dessert, alcoholic beverage, herb, or spice.

Section 2) The Department of Health, upon determination by the secretary of health that a flavored vapor product may be injurious to human health or poses a significant health risk, may restrict the sale of such product.

Section 3) The State Board of Health shall determine in rule the allowable nicotine concentration for any vapor product sold or offered for sale in the state. A vapor product may not be sold or offered for sale if the product has nicotine salts or other ingredients that result in the nicotine concentration greater than that determined by the state board of health in rule.

Section 4) The Department of Health may adopt any rules necessary to implement this section and revise labeling requirements.

Section 5) All manufacturers of nicotine-containing vapor products shall disclose to the Department of Health, using forms and methods to be determined by the department. The department, in collaboration with the University of Washington school of public health, shall publish on the internet the list of ingredients for each product submitted to the department; and a guide summarizing and linking to research on ingredient toxicity, carcinogenicity, or any other potential harm to human health associated with the product and its ingredients.

Section 6(21) "Tobacco products" includes nontobacco nicotine products that are not approved by the United States food and drug administration.

Section 7) Upon a determination by the Secretary of Health that a "characterizing flavor" may be harmful or pose a significant risk to public health, the Secretary may prohibit the characterizing flavor in cigarettes and other tobacco products, as defined in RCW 82.26.010.

For purposes of this section, "characterizing flavor" means a distinguishable taste or aroma, or both, other than the taste or aroma of tobacco. Characterizing flavors include, but are not limited to, tastes or aromas relating to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, or spice. A tobacco product does not have a characterizing flavor solely because of the use of additives or flavorings or the provision of ingredient information. It is the presence of a distinguishable taste or aroma, or both, that constitutes a characterizing flavor.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

Section 3: The State Board of Health shall determine in rule the allowable nicotine concentration for any vapor product sold or offered for sale in the state. It is unknown what the impact of this would be in terms of non-compliance by retailers.

Section 7: Upon a determination by the Secretary of Health that a "characterizing flavor" may be harmful or pose a significant risk to public health, the Secretary may prohibit the characterizing flavor in cigarettes and other tobacco products,

as defined in RCW 82.26.010. Since it is a "MAY" prohibit, it is unknown how many products, if any, may be prohibited and the possible non-compliance by retailers would be.

Because of these factors, the impact to the agency is indeterminate.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

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

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

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

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

NONE

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

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

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

NONE

#### IV. C - Capital Budget Breakout

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

NONE

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

NONE

### Part V: New Rule Making Required

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



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5239 SB	<b>Title:</b> Vapor & tobacco products	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	8.3	7.9	8.1	3.4	3.0
<b>Account</b>					
General Fund-State 001-1	1,234,000	1,156,000	2,390,000	789,000	708,000
<b>Total \$</b>	1,234,000	1,156,000	2,390,000	789,000	708,000

### 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: 02/14/2023
Agency Preparation: Sharilynn Boelk	Phone: 3602363000	Date: 02/27/2023
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 02/27/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/10/2023

## 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 2 adds a new section that allows the Secretary of the Department of Health (department) to restrict the sale of any flavored vapor product upon the determination that such product may be injurious to human health or poses a significant risk to public health.

The department may adopt any rules necessary to implement this act.

Section 3 adds a new section requiring the State Board of Health (board) to determine in rule the allowable nicotine concentration for any vapor product sold or offered for sale in the state. A vapor product may not be sold or offered for sale if the product has nicotine salts or other ingredients that result in nicotine concentrations that exceed a level as determined by the board.

Section 4 amends RCW 70.345.075 stating the department must require a manufacturer that sells, offers for sale, or distributes liquid nicotine containers to label the vapor product.

The department may adopt any rules necessary to implement this act. The department may revise labeling requirements to: (a) be consistent with any regulations and labeling requirements issued by the United States Food and Drug Administration or by any other federal agency; and (b) maintain any labeling requirements which are not preempted, or which provided disclosures that are not mandated by federal regulations.

Section 5 adds a new section requiring all manufacturers of nicotine-containing vapor products to disclose the concentration and form of nicotine in the product, and all ingredients or product elements which may be inhaled when the product is used by the consumer.

The department, in collaboration with the University of Washington School of Public Health (UW) shall publish the collected information on the internet. Posted information will include the list of ingredients for each product; and a guide summarizing and linking to research on ingredient toxicity, carcinogenicity, or any other potential harm to human health associated with the product and its ingredients.

### 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.*

None.

### II. C - Expenditures

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

Section 2 – The department may restrict the sale of certain flavored vapor products. The department is unable to determine in advance if or how many restrictions could occur in the future until the data is analyzed and determines it is needed for safety. There would be some fiscal impact for each occurrence. As a result, costs for this section are indeterminate.

Section 3 – Requires the board to determine in rule the allowable nicotine concentration for any vapor product sold or offered for sale in the state. In establishing a nicotine concentration level, the whether the level of nicotine may be injurious to personal or public health, and may consider risks such as addiction increase, underage usage, or limited efficacy of

nicotine addiction cessation efforts.

The board anticipates this will be technical and complex rulemaking process with a high public interest taking approximately 30 months to complete. This is a complex, high-stakes rulemaking, requiring a Small Business Economic Impact Analysis and a legislative significant analysis, it will require significant industry, partner and community engagement. Experience has shown 300 people could be attending Board meetings again. Rulemaking will include six stakeholder meetings as well as one formal rule hearing which allows for stakeholder participation. The board will need a 0.6 FTE of a Management Analyst 4 (MA4) for two years as a community outreach coordinator to support the process, including meaningful engagement. Also, 1.0 FTE of a Management Analyst 5 (MA5) for two years and then 0.5 FTE for FY26 to manage the rulemaking process for 30 months.

The Management Analyst 4 will be responsible for community outreach and engagement. This includes developing a community engagement plan for the rules process, specifically focused on alerting community and those who may have an interest in the project and inviting their participation in the rulemaking process. This position would work with MA 5 to implement the engagement plan. They would develop strategies and tools for the board to engage consumers, diverse communities, health care providers, public health organizations, and vapor product industry in the work. The position will work with our communications manager and the MA 5 to promote this rules project on the website and through social media channels. The position would help manage the anticipated large volume of public comment and feedback collected through cost surveys, work sessions, and listening sessions, and rules hearings. The position would oversee the interpretive and translation services needed for the project.

The Management Analyst 5 will be lead for developing the rules that set the nicotine and managing this project. The position will be responsible for activities such as: developing and managing the contract for the Toxicologist, working with the toxicologist to review and research scientific literature, convening workgroups and listening sessions, developing and conducting cost surveys, drafting the regulation and required analyses, briefing and providing progress reports to the Board, developing meeting and website content and communications for the public and interested parties.

The board or the department doesn't have a toxicologist on staff with this skill set and will need to contract this work out to a higher education or private sector to support this part of the rule development. Estimating 1,500 hours at a rate of \$150 per hour of support the analyze work and identify how various nicotine levels impact the body. In FY 2024 and FY 2025 costs will be \$112,500 each year.

Professional facilitation for public workshops (6 workshops including planning and coordination and travel) 100 hours @ \$250/ hour in FY 2024.

ASL interpretation for 6 workshops meetings plus rules hearing 36 hours @ \$1,000 per meeting in FY 2024.

Spanish Language interpretation for 6 workshops plus rules hearing 36 hours @ \$1,000 per meeting in FY 2024.

Spanish language translation of draft rules, proposed rules and analyses and workshop materials \$5,000 in FY 2024.

Costs include staff and associated costs, travel, and Office of the Attorney General support in the amount of \$10,000 each year. One-time costs for rulemaking will be 1.6 FTE and \$420,000 in FY 2024, 1.6 FTE and \$378,000 in FY 2025 and 0.5 FTE and \$81,000 in FY 2026.

Section 4 – The department shall require a manufacturer or distributor that sells, offers for sale, or distributes liquid nicotine containers to label the vapor products. Assuming the United States Food and Drug Administration (FDA) guidance will be mirrored, and no additional requirements are needed, therefore rule make will not be necessary at this time.

In FY 2024, the department will require 0.1 FTE one-time Health Services Consultant 3 to establish labeling requirements

consistent with FDA or by any other federal agency.

FY 2024 0.1 FTE and \$12,000

Section 5 – All manufacturers of nicotine containing vapor products shall disclose using forms and methods to be determined by the department. The department in collaboration with University of Washington will publish on the internet information on vapor product ingredients and health impacts.

Assumption: Creating a website-based approach could be costly so the department took the approach to provide a form (digital and paper) to submit which could be translated into multiple languages.

Beginning in fiscal year (FY) 2024 and ongoing, the department will:

- 1) develop the form(s), ensure usability, and translate forms to different languages.
- 2) collect data from over 460 brands for each different flavor and concentration levels.
- 3) work with stakeholders and collaborate with the University of Washington school of public health.
- 4) provide a report based on the abstracted data and create a synthesized report detailing the following: concentration of nicotine in products, form of nicotine in the products, an ingredients list of the vape products taking extra care to highlight all toxic, carcinogenic, or other potentially harmful ingredients in the products.

In FY 2024 and FY 2025 to complete the work above the department will require 3.0 Health Services Consultant 2, 1.0 Health Services Consultant 3, 0.3 Communications Consultant 4 (FY24 only), 0.1 Budget Analyst 3 and 0.2 Epidemiologist 1. In FY 2024, costs include staff and associated costs for a total of 4.3 FTE and \$504,000 and in FY 2025 the total costs are \$486,000.

In FY 2026 and ongoing, the department will require 1.0 Health Services Consultant 2, 1.0 Health Services 3, 0.1 Budget Analyst 3, and 0.1 Epidemiologist 1. Costs include staff and associated costs for a total 2.2 FTE and \$255,000 each fiscal year.

(1.0) Health Services Consultant 3 – Serves as database and project lead, coordinating the staff and partnership with other agencies/stakeholders to ensure database development/maintained, report is created/updated and disseminated. This position will be the primary connection with the University of Washington School of Public Health for publishing the list of ingredients and the guide. Prepares and manages budgets of the project, under the supervision of a Health Services Consultant 4 and supervises the Health Services Consultant 2 staff members to ensure completion of project.

(3.0) Health Services Consultant 2 – Serves as the key staffers developing the database and maintaining it, including the development of the forms, stakeholder engagement, and engagement with other state agencies. These positions will contact 460+ brands annually, collect and track data and ingredients for each different flavor and their concentration levels. They will maintain the database with any updates that occur.

(0.3) Communication Consultant 4 – Supports translation efforts and develops dissemination plan of annual report.

(0.1) Budget Analyst 3 – Coordinates directly with the Health Services Consultant 3, budget director, and the division director of assigned programs providing them with specific information and knowledge to achieve coordinated program and budgeting planning; Explains accounting and budgeting systems, procedures and processes; Maintains a computerized data processing program which will provide immediate analysis of the type of facilities, location, cost, and user requirements of areas.

(0.2) Epidemiologist 1 – Surveillance of data and analysis, evaluating projects benefit to Washingtonians. Work with UW on technical aspects of publishing data.

**Other Costs**

Estimated expenditures include salary, benefit, and related costs to assist with administrative workload activities. These agency activities include policy and legislative relations; information technology; budget and accounting services; human resources; contracts; procurement, risk management, and facilities management.

Total Costs to implement this bill:

FY2024: 8.3 FTE and \$1,234,000 (GFS)

FY2025: 7.9 FTE and \$1,156,000 (GFS)

FY2026: 3.7 FTE and \$435,000 (GFS)

FY2027 and ongoing: 3.0 FTE and \$354,000 (GFS)

**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	1,234,000	1,156,000	2,390,000	789,000	708,000
<b>Total \$</b>			1,234,000	1,156,000	2,390,000	789,000	708,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	8.3	7.9	8.1	3.4	3.0
A-Salaries and Wages	595,000	578,000	1,173,000	479,000	424,000
B-Employee Benefits	235,000	227,000	462,000	192,000	172,000
C-Professional Service Contracts	306,000	264,000	570,000	50,000	50,000
E-Goods and Other Services	47,000	43,000	90,000	30,000	28,000
J-Capital Outlays	4,000		4,000		
M-Inter Agency/Fund Transfers					
P-Debt Service					
T-Intra-Agency Reimbursements	47,000	44,000	91,000	38,000	34,000
9-					
<b>Total \$</b>	1,234,000	1,156,000	2,390,000	789,000	708,000

**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
BUDGET ANALYST 3	71,520	0.1	0.1	0.1	0.1	0.1
COMMUNICATIONS CONSULTANT 4	75,120	0.3		0.2		
EPIDEMIOLOGIST 1	85,020	0.2	0.2	0.2	0.1	0.1
Fiscal Analyst 2	53,000	1.3	1.3	1.3	0.5	0.4
HEALTH SERVICES CONSULTANT 2	66,420	3.0	3.0	3.0	1.0	1.0
HEALTH SERVICES CONSULTANT 3	75,120	1.1	1.0	1.1	1.0	1.0
Health Svcs Conslt 1	53,000	0.7	0.7	0.7	0.4	0.4
MANAGEMENT ANALYST 4	82,896	0.6	0.6	0.6		
MANAGEMENT ANALYST 5	91,524	1.0	1.0	1.0	0.3	
<b>Total FTEs</b>		8.3	7.9	8.1	3.4	3.0

**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.*

Section 3 – Requires the board to determine in rule the allowable nicotine concentration for any vapor product sold or offered for sale in the state. In establishing a nicotine concentration level, the whether the level of nicotine may be injurious to personal or public health, and may consider risks such as addiction increase, underage usage, or limited efficacy of nicotine addiction cessation efforts.

The board anticipates this will be technical and complex rulemaking process with a high public interest taking approximately 30 months to complete. Rulemaking will include six stakeholder meetings as well as one formal rule hearing which allows for stakeholder participation. This is a complex, high-stakes rulemaking, requiring a Small Business Economic Impact Analysis and a legislative significant analysis, it will require significant industry, partner, and community engagement. The Board anticipates that this work will likely be received similarly and the subject of litigation. In the Board's past discussion of flavored vapor product regulation, they had approximately 300 people attend the Board's meeting

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5239 SB	<b>Title:</b> Vapor & tobacco products	<b>Agency:</b> 360-University of Washington
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.5	2.0	1.8	0.9	0.9
<b>Account</b>					
General Fund-State      001-1	172,512	238,967	411,479	186,968	186,968
<b>Total \$</b>	172,512	238,967	411,479	186,968	186,968

### 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: 02/14/2023
Agency Preparation: Charlotte Shannon	Phone: 2066858868	Date: 02/17/2023
Agency Approval: Charlotte Shannon	Phone: 2066858868	Date: 02/17/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/21/2023

## Part II: Narrative Explanation

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

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

SB 5239 gives authority to the Secretary of Health to restrict sales of vapor products that pose significant risk to the health of the public. The State Board of Health will also develop an allowable concentration of nicotine in vaping products. To carry this out, manufacturers of vaping products that contain nicotine will be required to provide to the state Dept of Health (DOH), a list of ingredients and their concentrations.

Section 5 of the bill would direct the DOH to collaborate with the UW School of Public Health (DEOHS) to publish the list of ingredients, provided by the manufacturers, for each product, on the internet and develop “a guide summarizing and linking to research on ingredient toxicity, carcinogenicity, or any other potential harm to human health associated with the product and its ingredients.”

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

The University of Washington (UW) assumes achieving the objectives of Section 5 will take 2 years to publish the materials requested, and then would require yearly updates of materials and the website. Thus, the FTE/workload budgeted is higher in FY24 and FY25, and much lower in FY26 and ongoing amounts. The estimated number of constituents with potential human health hazards is 500, we are proposing an interactive website or PDF as a guide linked to a DOH webpage.

Projected expenditures for those activities explicitly involving the University of Washington School of Public Health are described below:

Salaries, Wages, and Employee Benefits:

-Assistant Professor (Annual Salary \$133,488; FTE: FY24, 15%; FY25, 20%; FY26-29, 10%):

The Assistant Professor in Toxicology in the Department of Environmental & Occupational Health Sciences (DEOHS) at the University of Washington (UW) is currently a co-Investigator in a National Cancer Institute-funded R01 grant examining the adverse cardiopulmonary effects of e-cigarettes in experimental mouse models. They will be involved in the overall planning and management of this request, ensuring effective communication between all members of the Team and with the state Dept. Of Health Team.

-Teaching Professor (Annual Salary \$173,127, benefits 24.1%; FTE: FY24-25, 5%; FY26-29, 2.5%)

The Teaching Professor in UW DEOHS, Assistant Chair for Stakeholder Engagement, and Director of the Field Research and Consultation Group, has experience with the collaboration between the local government and the UW SPH. They are also a subject matter expert in Environmental Health Regulation and will supervise these aspects related to the guide curation. Additionally, they have experience on previous long term DOH and UW collaborations which brings experience and additional expertise to this body of work.

-Research Staff (Annual Salary \$72,096, benefits 31.8%; FTE: FY24-25,30%; FY26-29, 20%)

Research Staff MSc is a research scientist in the Marsillach Lab, and a current collaborator on the R01 e-cigarette grant. They would be tasked with research and data curation associated with vaping constituents, approximately 500 constituents,



along with supervising guide development. Literature reviews for all constituents will be supervised by this role in addition to validating findings.

-Communications Director (Annual Salary \$133,884, benefits 31.8%; FTE FY25, 8%; FY 26-29, 2%)

The UW DEOHS Director of Communications and Public Relations will provide project management and planning, creating clear educational documentation for the public with emphasis on accessible and concise communication.

-Web Graphics Specialist (Annual Salary \$91,835, benefits 31.8%; FTE FY25, 15%; FY26-29, 5%)

The Web Graphics Specialist in DEOHS role will be to design a cohesive document with emphasis on accessibility to the general public.

-Web Computing Specialist (Annual Salary \$84,468, benefits 31.8%; FTE FY25, 15%; FY26-29, 2%)

The Web Computing Specialist in DEOHS role will be to design, build, and maintain the website used to disseminate project information.

-MSc Student Research Assistant (Annual Salary \$77,000, benefits 21.3%; FTE: FY24-25, 50%)

An applied toxicology student will assist with literature review, data collection, and original draft preparation.

-Undergraduate Student (Annual Salary \$55,000, benefits 21.5%; FTE: FY24-25, 50%; FY26-29, 25%)

The undergraduate student will assist with data entry, create a literature database to support work, and help create figures.

-MSc Student Research Assistant, summer quarter (Annual Salary \$82,640, benefits 21.5%; FTE: FY26-29, 25%)

An applied toxicology student will assist with literature review, data collection, and original draft preparation.

Travel:

The UW anticipates one in-state trip to DOH for project collaboration in FY24. Estimated costs, \$300

Other: Tuition

A total of 4 quarters of tuition is included in both FY24 and FY25 (\$7000 per quarter) for a total of \$28,000 in each year provided to a graduate student research assistant.

TOTAL UW FISCAL IMPACTS OF SB 5239:

FY24: \$172,512

FY25: \$238,967

FY26 and ongoing: \$93,484

## 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	172,512	238,967	411,479	186,968	186,968
<b>Total \$</b>			172,512	238,967	411,479	186,968	186,968

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.5	2.0	1.8	0.9	0.9
A-Salaries and Wages	116,308	167,348	283,656	149,200	149,200
B-Employee Benefits	27,904	43,619	71,523	37,768	37,768
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel	300		300		
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Tuition	28,000	28,000	56,000		
<b>Total \$</b>	172,512	238,967	411,479	186,968	186,968

**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 Professor	133,488	0.2	0.2	0.2	0.1	0.1
Communications Director	133,884		0.1	0.0	0.0	0.0
Graduate Student Research Assistant	77,000	0.5	0.5	0.5		
Hourly Graduate Student Research Assistant (Summer)	82,640				0.3	0.3
Hourly Undergraduate Student	55,000	0.5	0.5	0.5	0.3	0.3
Research Staff	72,096	0.3	0.4	0.4	0.2	0.2
Teaching Professor	173,127	0.1	0.1	0.1	0.0	0.0
Web Computing Specialist	84,468		0.2	0.1	0.0	0.0
Web Graphics Specialist	91,835		0.2	0.1	0.1	0.1
<b>Total FTEs</b>		1.5	2.0	1.8	0.9	0.9

**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.*