

Individual State Agency Fiscal Note

Bill Number: 5791 SB	Title: DUI/oral fluid evaluation	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	2.0	1.0	1.5	0.0
Account					
State Patrol Highway Account-State 081-1	0	1,924,016	1,924,016	1,718,627	0
Total \$	0	1,924,016	1,924,016	1,718,627	0

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

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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 legislation will have fiscal impact to the Washington State Patrol (WSP).

New Section 1(1) requires the WSP to establish a pilot program to evaluate the outcomes and effectiveness of oral fluid roadside information in Driving Under the Influence (DUI) enforcement. The pilot program must be initiated by March 1, 2025, and implemented in a minimum of ten locations. We must establish specific requirements for the pilot project to include the selection of the most valid and reliable oral fluid test instrument, the training for the law enforcement officers allowed to administer the test, and the measures needed to protect personally identifying information and test results.

New Section 1(2) requires us to submit a report to the legislature detailing the results of the pilot project by June 30, 2026.

The requirements of the proposed legislation expire on January 1, 2027.

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.

The requirements of the proposed legislation will require additional personnel to manage the training and operation of the pilot program in the field, and in the Toxicology Laboratory. We assume that these positions will be filled and begin work by July 1, 2024 in order to do all the preparatory work required to begin the pilot program by the March 1, 2025 deadline.

One Sergeant FTE will be required to manage the development, implementation, and evaluation of the pilot program in ten locations across the state. Due to the extensive travel requirements for this position, we include an overtime assumption of \$500 per month. The cost of this position with related goods and services, workstation, and vehicle is \$329,875 in the first year and \$256,571 ongoing.

One Forensic Scientist 4 position will be required to manage the Toxicology Laboratory testing protocols and confirmatory outsourced testing of samples from the project. The cost of this position with related goods and services, and workstation is \$210,251 in the first year and \$199,748 ongoing.

The project will also require the onetime purchase of oral fluids testing instruments for the project sites. We have assumed that ten instruments will be stationed at each project site, for a total of 100 instruments. The cost of each instrument is estimated at \$7,000, for a total onetime cost of \$700,000.

Ongoing instrument supply costs assume the purchase of 70 test kits per instrument per year for field use and 10 test kits per instrument per year for training use for an annual total of 8,000 test kits. The test kits are estimated at \$27 per kit, for a total of \$216,000 per year in instrument test kit costs.

We also assume that 20% of tests performed will be sent to an outsourced laboratory for confirmatory testing to verify agency testing results. This is expected to cost about \$150 per test for an estimated annual total of \$240,000 for 1,600

confirmatory tests.

This results in a total first year cost, including agency indirect costs, of \$1,924,016 and an ongoing cost of \$1,139,455 per fiscal year as shown in the expenditure tables, however, we assume that the funding for the pilot program will end on December 31, 2026, resulting in a total 2025-27 biennial cost of \$1,718,627.

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 approved federal indirect cost rate of 33.41 percent. 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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
081-1	State Patrol Highway Account	State	0	1,924,016	1,924,016	1,718,627	0
Total \$			0	1,924,016	1,924,016	1,718,627	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		2.0	1.0	1.5	
A-Salaries and Wages		269,592	269,592	407,688	
B-Employee Benefits		83,284	83,284	125,575	
C-Professional Service Contracts		240,000	240,000	360,000	
E-Goods and Other Services		265,824	265,824	395,352	
G-Travel		36,000	36,000	54,000	
J-Capital Outlays		801,427	801,427	29,814	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Agency Indirect Costs		227,889	227,889	346,198	
Total \$	0	1,924,016	1,924,016	1,718,627	0

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

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Forensic Scientist 4	113,664		1.0	0.5	0.8	
WSP Sergeant	149,328		1.0	0.5	0.8	
Total FTEs			2.0	1.0	1.5	0.0

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.