

Multiple Agency Fiscal Note Summary

Bill Number: 5855 SB	Title: User agreement summaries
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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
Office of Attorney General	1.5	474,000	474,000	474,000	2.4	737,000	737,000	737,000	.0	0	0	0
Total \$	1.5	474,000	474,000	474,000	2.4	737,000	737,000	737,000	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
Office of Attorney General	.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: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Final 1/17/2024
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Judicial Impact Fiscal Note

Bill Number: 5855 SB	Title: User agreement summaries	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: Adam Brunmeier	Phone: 360-786-7357	Date: 01/10/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 01/11/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/11/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/11/2024

189,713.00

Request # 70-1

Form FN (Rev 1/00)

1

Bill # 5855 SB

Part II: Narrative Explanation

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

This bill Seeks to protect public by requiring specified types of electronic-format agreements/policies concerning software and other electronic services to include conspicuous 100 word or less plain language summary in specified location; noncompliance a CPA violation enforceable solely by AG with violation not providing basis for private cause of action.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact to the Administrative Office of the Courts as this bill does not affect current AOC or court processes.

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

189,713.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 5855 SB	Title: User agreement summaries	Agency: 100-Office of Attorney General
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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	2.9	1.5	2.4	0.0
Account					
General Fund-State 001-1	0	474,000	474,000	737,000	0
Total \$	0	474,000	474,000	737,000	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.

Legislative Contact: Adam Brunmeier	Phone: 360-786-7357	Date: 01/10/2024
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 01/16/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/16/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/16/2024

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—New Section. Legislative findings.

Section 2—New Section. Requires any user agreement, end-user license agreement, or privacy policy presented in electronic format to contain a plain-language summary of the agreement or policy.

Section 3—New Section. Provides that the chapter may be enforced solely by the Attorney General’s Office (AGO) under the Consumer Protection, Act and includes related legislative findings. Provides that a violation of the chapter is not a basis for a private right of action.

Section 4—New Section. Provides that the act does not apply to agreements or policies executed before the effective date of the section.

Section 5—New Section. Codification instruction.

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.

General Fund-State (GF-S) Account 001-1: Attorney General’s Office (AGO) Consumer Protection Division (CP) activities are funded with General Fund-State dollars. No cash receipt impact. There is no client agency to bill for legal services.

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:

This bill is assumed effective 90 days after the end of the 2024 legislative session.

Location of staffing is assumed to be in a King County 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 FTE (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 Paralegal 1 FTE (PL1) and 0.35 MA.

Assumptions for the AGO Consumer Protection Division (CPR) Legal Services:

- CPR will investigate at least six targets in FY 2025.
- CPR bring enforcement action against at least three targets in 2026, and litigation against these targets will conclude in 2027.
- Industry will come into full compliance after three years.
- The bill will remain, as drafted, without a private right of action, and AGO will be the only entity with the power to take enforcement action under the bill.

In FY 2025 the AAG will investigate potential violations, draw conclusions from investigation, draft Civil Investigative Demand (CID) and/or discovery requests; litigate case; negotiate settlements. The PL's will manage documents, draft CID and/or discovery requests and manage responses. The Investigator (INV) will interview witnesses, and review investigative records. The AGO assumes \$20,000 total direct litigation costs. \$10,000 for expert costs, depositions to aid in enforcement for \$3,000 each estimated for two depositions = \$6,000, \$2,000 travel expenses for depositions, witness interviews, other, and \$2,000 for e-document management costs.

FY 2026: AAG: Investigate potential violations, draw conclusions from investigation, draft CID and/or discovery requests, litigate case; negotiate settlements. The PL's will manage documents, draft CID and/or discovery requests and manage responses. The INV will interview witnesses, and review investigative records. The AGO assumes \$20,000 total direct litigation costs. \$10,000 for expert costs, depositions to aid in enforcement for \$3,000 each estimated for two depositions = \$6,000, \$2,000 travel expenses for depositions, witness interviews, other, and \$2,000 for e-document management costs.

FY 2027: AAG: Investigate potential violations; draw conclusions from investigation; draft CID and/or discovery requests; litigate case; negotiate settlements. The PL's will manage documents, draft CID and/or discovery requests and manage responses. The INV will interview witnesses, and review investigative records. The AGO assumes \$5,000 total direct litigation. \$3,000 for depositions to aid in enforcement (one deposition estimated at \$3,000), \$1,000 travel expenses for depositions, witness interviews, other, and \$1,000 for e-document management costs.

Total King County CPR workload impact:

FY 2025: \$474,000 for 1.0 AAG, 0.5 PL2, 0.5 INV, and 0.5 PL1, which includes direct litigation costs of \$20,000.

FY 2026: \$474,000 for 1.0 AAG, 0.5 PL2, 0.5 INV, and 0.5 PL1, which includes direct litigation costs of \$20,000.

FY 2026: \$263,000 for 0.5 AAG, 0.5 PL2, 0.3 INV, and 0.3 PL1, which includes direct litigation costs of \$5,000.

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	0	474,000	474,000	737,000	0
Total \$			0	474,000	474,000	737,000	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		2.9	1.5	2.4	
A-Salaries and Wages		307,000	307,000	480,000	
B-Employee Benefits		94,000	94,000	148,000	
C-Professional Service Contracts		10,000	10,000	10,000	
E-Goods and Other Services		58,000	58,000	91,000	
G-Travel		5,000	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-					
Total \$	0	474,000	474,000	737,000	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
Assistant Attorney General-Seattle	135,555		1.0	0.5	0.8	
Management Analyst 5	95,184		0.4	0.2	0.3	
Paralegal 1-Seattle	72,528		0.5	0.3	0.4	
Paralegal 2-Seattle	79,992		0.5	0.3	0.5	
Senior Investigator-Seattle	105,012		0.5	0.3	0.4	
Total FTEs			2.9	1.5	2.4	0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Consumer Projection Division (CPR)		474,000	474,000	737,000	
Total \$		474,000	474,000	737,000	

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.