

Multiple Agency Fiscal Note Summary

Bill Number: 2149 HB	Title: Consumer personal info.
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Estimated Cash Receipts

NONE

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	3.8	1,309,000	1,309,000	1,309,000	6.8	2,408,000	2,408,000	2,408,000	.0	0	0	0
Department of Licensing	Fiscal note not available											
Total \$	3.8	1,309,000	1,309,000	1,309,000	6.8	2,408,000	2,408,000	2,408,000	0.0	0	0	0

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
Department of Licensing	Fiscal note not available								
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

NONE

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Individual State Agency Fiscal Note

Bill Number: 2149 HB	Title: Consumer personal info.	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	7.6	3.8	6.8	0.0
Account					
General Fund-State 001-1	0	1,309,000	1,309,000	2,408,000	0
Total \$	0	1,309,000	1,309,000	2,408,000	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: Michelle Rusk	Phone: 360-786-7153	Date: 01/09/2024
Agency Preparation: Chad Standifer	Phone: 3605863650	Date: 01/13/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/13/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/17/2024

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 – Adding definitions to the new chapter, including to “consumer”, “personal information”, “point of sale”, “selling”, “sharing”, and “transacting entity”.

Section 2: New Section – Prohibiting the sharing of personal information that is collected from a consumer at the point of sale unless express permission is obtained from the consumer to share or sell that information.

Section 3: New Section – Making a violation of the chapter an unfair or deceptive act in trade or commerce, and an unfair method of competition, under the Consumer Protection Act, RCW 19.86; making the chapter solely enforceable by the Attorney General.

Section 4: New Section – making sections 1 through 3 of the bill a new chapter in RCW 19.

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 0.4 MA.

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

In FY 2025, the AAGs will investigate potential violations, draw conclusions from investigation/s, draft Civil Investigative Demands (CID) and/or discovery requests, and take investigative depositions. The PL 2 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 \$96,000 total direct litigation costs. \$50,000 for expert costs, depositions to aid in enforcement for \$3,000 each estimated for 10 depositions = \$30,000, \$6,000 for travel expenses for depositions, witness interviews, other, and \$10,000 for e-document management costs.

In FY 2026, the AAGs will investigate potential violations, draw conclusions from investigation/s, draft CID and/or discovery requests, litigate case/s, and negotiate settlements. The PLs will manage documents, draft CID and/or discovery requests and manage responses. The INV will interview witnesses and review investigative records. The AGO assumes \$128,000 total direct litigation costs in FY 2026. \$100,000 for expert costs, depositions to aid in enforcement for \$3,000 each estimated for five depositions = \$15,000, travel expenses for depositions, witness interviews, other (\$3,000), and \$10,000 for e-document management costs.

In FY 2027, the AAGs will investigate potential violations, draw conclusions from investigation/s, draft CID and/or discovery requests, litigate case/s, and negotiate settlements. The PLs will manage documents, draft CID and/or discovery requests and manage responses. The INV will interview witnesses and review investigative records. The AGO assumes \$78,000 total direct litigation costs in FY 2027. Expert costs at \$50,000, depositions to aid in enforcement at \$3,000 each estimated for five depositions = \$15,000, travel expenses for depositions, witness interviews, and other for \$3,000, and \$10,000 for e-document management costs.

Total King County CPR workload impact:

FY 2025: \$1,309,000 for 3.0 AAG, 1.0 INV, 1.5 PL1, and 1.0 PL2, which includes direct litigation costs of \$96,000.

FY 2026: \$1,569,000 for 4.0 AAG, 0.5 INV, 2.0 PL1, and 1.0 PL2, which includes direct litigation costs of \$128,000.

FY 2027: \$839,000 for 2.0 AAG, 0.5 INV, 1.0 PL1, and 0.5 PL2, which includes direct litigation costs of \$78,000.

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	1,309,000	1,309,000	2,408,000	0
Total \$			0	1,309,000	1,309,000	2,408,000	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		7.6	3.8	6.8	
A-Salaries and Wages		824,000	824,000	1,500,000	
B-Employee Benefits		250,000	250,000	454,000	
C-Professional Service Contracts		50,000	50,000	150,000	
E-Goods and Other Services		171,000	171,000	284,000	
G-Travel		14,000	14,000	20,000	
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	1,309,000	1,309,000	2,408,000	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		3.0	1.5	3.0	
Management Analyst 5	95,184		1.1	0.6	1.1	
Paralegal 1 - Seattle	72,528		1.5	0.8	1.5	
Paralegal 2 - Seattle	79,992		1.0	0.5	0.8	
Senior Investigator - Seattle	105,012		1.0	0.5	0.5	
Total FTEs			7.6	3.8	6.8	0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Consumer Protection Division (CPR)		1,309,000	1,309,000	2,408,000	
Total \$		1,309,000	1,309,000	2,408,000	

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.