

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 6232 SB	<b>Title:</b> Public records portal pilot
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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
Consolidated Technology Services	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	0	0	0	0	0	0	0	0	0

## 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
Joint Legislative Audit and Review Committee	.6	0	0	202,900	.3	0	0	107,500	.0	0	0	0
Consolidated Technology Services	Non-zero but indeterminate cost and/or savings. Please see discussion.											
<b>Total \$</b>	0.6	0	0	202,900	0.3	0	0	107,500	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
Joint Legislative Audit and Review Committee	.0	0	0	.0	0	0	.0	0	0
Consolidated Technology Services	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	0.0	0	0	0.0	0	0	0.0	0	0

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Val Terre, OFM	<b>Phone:</b> (360) 280-3973	<b>Date Published:</b> Preliminary 1/22/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 6232 SB	<b>Title:</b> Public records portal pilot	<b>Agency:</b> 014-Joint Legislative Audit and Review Committee
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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	0.3	0.8	0.6	0.3	0.0
<b>Account</b>					
Performance Audits of Government Account-State 553-1	47,700	155,200	202,900	107,500	0
<b>Total \$</b>	47,700	155,200	202,900	107,500	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: Greg Vogel	Phone: 360-786-7413	Date: 01/16/2024
Agency Preparation: Casey Radostitz	Phone: 360-786-5176	Date: 01/18/2024
Agency Approval: Eric Thomas	Phone: 360 786-5182	Date: 01/18/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/19/2024

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.

This bill directs Consolidated Technology Services (CTS) to create a pilot portal for commonly requested public records.

Sec. 1 directs JLARC to select an agency to participate in the pilot program and report back to the legislature by Dec 1, 2024.

Sec. 2 states that CTS and the selected agency must develop the pilot by June 1, 2025. Other state or local agencies may opt into the pilot. CTS must report on the program in 2030.

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 bill directs JLARC to select the state agency that shall coordinate with CTS and provide records for the pilot. JLARC conducts performance audits and program evaluations in accordance with professional auditing standards. JLARC studies are typically retrospective rather than prospective, and we do not develop policy or make policy recommendations.

To determine a list of possible candidate agencies from which the Legislature could choose from, we anticipate meeting with stakeholders, reviewing prior studies and research, reviewing relevant statutes and rules, interviewing state agencies, gathering and analyzing data relevant to commonly requested public records, and determining best practices used in other states.

JLARC does not currently have capacity to complete additional studies in calendar year 2024. The earliest we could begin this study is January 2025, subject to JLARC’s Executive Committee prioritization of our current workload.

This audit will require an estimated 13 audit months.

JLARC ASSUMES THAT THE ASSIGNMENT IN THIS PROPOSED BILL MAY REQUIRE ADDITIONAL RESOURCES. JLARC WILL ASSESS ALL OF THE ASSIGNMENTS MANDATED IN THE 2024 LEGISLATIVE SESSION. BASED ON ALL LEGISLATION THAT IS PASSED, JLARC MAY SUBSEQUENTLY DETERMINE THAT IT CAN ABSORB THE COSTS FOR THIS PROPOSED BILL IN ITS BASE BUDGET, IF THE WORKLOAD OF OTHER ENACTED LEGISLATION DOES NOT EXCEED CURRENT STAFFING LEVELS.

JLARC Audit Months: JLARC calculates its staff resources in "Audit Months" to estimate the time and effort to undertake and complete its studies. An "Audit Month" reflects a JLARC analyst’s time for a month, together with related administrative, support, and goods/services costs. JLARC’s anticipated 2023-25 costs are calculated at approximately \$23,900 per audit month.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
553-1	Performance Audits of Government Account	State	47,700	155,200	202,900	107,500	0
Total \$			47,700	155,200	202,900	107,500	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.8	0.6	0.3	
A-Salaries and Wages	31,000	100,800	131,800	69,800	
B-Employee Benefits	9,800	31,900	41,700	22,100	
C-Professional Service Contracts					
E-Goods and Other Services	6,300	20,500	26,800	14,200	
G-Travel	600	2,000	2,600	1,400	
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 \$	47,700	155,200	202,900	107,500	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
Research Analyst	131,064	0.2	0.5	0.4	0.2	
Support staff	110,856	0.1	0.3	0.2	0.1	
Total FTEs		0.3	0.8	0.6	0.3	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.*

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 6232 SB	<b>Title:</b> Public records portal pilot	<b>Agency:</b> 163-Consolidated Technology Services
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

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

### 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:

- ☒ 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: Greg Vogel	Phone: 360-786-7413	Date: 01/16/2024
Agency Preparation: Nenita Ching	Phone: 360-407-8878	Date: 01/22/2024
Agency Approval: Christina Winans	Phone: 360-407-8908	Date: 01/22/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/22/2024

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.

The bill directs the Joint Legislative Audit and Review committee to study and select a suitable state agency for a pilot common public records portal. It also establishes the pilot common public records portal and specifies the Consolidated Technology Services Agency (WaTech) must serve as the managing entity for the pilot program and establish, operate, and maintain the pilot common public records portal.

Sec. 1. Subject to appropriations, directs the Joint Legislative Audit and Review committee to study and select a suitable state agency for a pilot common public records portal. Provides that the study must commence by July 1, 2024. Requires the committee to hold a public hearing by December 1, 2024.

Sec. 2. Subject to appropriations, establishes the pilot common public records portal (Portal). Specifies WaTech must serve as the managing entity for the pilot program and establish, operate, and maintain the pilot common public records portal. Requires the portal be established by June 1, 2025, and operate for 5 years. Requires the portal:

- (a) Proactively publish and provide access to commonly requested public records that are available to all members of the public and require little to no review and no redaction;
- (b) Operate as a central repository and archive for the purpose of all freely available public records on behalf of the project agency;
- (c) Provide direct access to instantly view and download commonly requested public records;
- (d) Seek to make public access easier by allowing members of the public to search and review commonly requested public records by topic category and trending issue areas; and
- (e) Refer members of the public to the conventional public records request process, if they are requesting access to records that are not freely available and that may require review and redaction.

Requires WaTech and the project agency to provide a report with findings and recommendations on the performance of the portal to the appropriate committees of the Senate and the House of Representatives by December 1, 2030.

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.

Cash receipt impact is indeterminate.

Architecture & Innovation (AID) is funded by an appropriation from the Consolidated Technology Services Revolving Account (458-1.) Revenues for AID are collected from state agencies which receive allocations through the central services model (CSM). It is assumed that the allocations in the Enterprise Architecture and Innovation CSM will be adjusted by the Legislature to ensure WaTech revenues are sufficient to support the required expenditures.

However, it is recommended that anytime a bill is expanded to include non-state agencies, WaTech recommends the bill be funded with General-Fund State to avoid significant rate increases for agencies that earn revenue from fee-for-service or license fees.

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 cost to implement the requirements in the bill is indeterminate.



There is operational impact of this bill for WaTech to serve as the managing entity for the pilot program and to establish, operate, and maintain the pilot common public records portal. WaTech is to publish and provide access to “commonly requested public records” (CRPR); operate as a central repository/archive; provide direct access to instantly view and download CRPR and to view records by topic category and trending issue; and refer the public to conventional public records request process for records not available in the Portal. WaTech and the project agency are to provide a report with findings and recommendations on the performance of the Portal in 2030.

#### Assumptions:

- Sec. 1 directs the Joint Legislative Audit and Review (JLAR) committee to study and select a suitable state agency for a pilot common public records portal. It is assumed that the cost of the study will be assumed by JLAR.
- WaTech is to establish, operate, and maintain the Portal by providing the platform for project agencies. Project agencies supply, review, redact, and produce records, and manage sensitive information according to a Service Level Agreement between project agency and WaTech. WaTech is not responsible for the content of records posted in the Portal.
- Ongoing costs will be dependent on number of connections that need to be established, amount of technical assistance needed, number and type of state agencies and local government and records to be onboarded, number of users of the portal, storage size demands and number of public records requests. WaTech assumes the ongoing costs to be higher in the initial years of operation. Subsequent ongoing maintenance and staffing costs will depend on the number of records and agencies/local governments on the portal.
- WaTech will create a new open records program that will establish and manage a new open records portal as there is no existing statewide common public records portal for unstructured records.
- The new open records program will not replace existing open data programs and open portals. These portals include data.wa.gov, geo.wa.gov, fiscal.wa.gov, results.wa.gov, erdc.wa.gov (education records), Department of Revenue business search, Department of Transportation records, digitalarchives.wa.gov, and local government tabular and geospatial open records portals.
- Cost for agencies to onboard to the Portal, including digitizing their records, is the responsibility of the agency/local government.

#### Known Costs:

Based on the assumptions above, these are the known, estimated expenditures in FY 2025 (2023-25 biennium), and annually thereafter:

- Staff support, 5.0 FTEs. Annual expenses listed below include salary, benefits, training, travel, and agency support.
  1. Program Manager (WMS2, 1.0 FTE) – Responsible for managing the program, its budget and expenditures, communications plans, strategic alignment, creating program-level metrics and reports, and building relationships with agencies, local governments, and users of the Portal to ensure services meet their needs. Annual expenses are \$248,894.
  2. Records Management Expert (WMS1, 0.5 FTE) – Responsible as an expert resource on records retention design for the Portal so that agencies and local governments will be able to apply the correct retention and manage their records to ensure that the published record is valid. Annual expenses are \$119,830.
  3. Senior Specialist IT System Administrator (07IT, 1.5 FTE) – Responsible for vendor management and administering access to the system, managing updates, and keeping the system in good working order. Annual expenses are \$370,922.
  4. Senior Specialist IT Data Architect (1.0 FTE) – Responsible for working with the vendor to ensure that the architecture and the delivery of the solution meets the requirements for the public records portal. Designs reference data pipeline architectures for delivery of data from agencies to the portal. Consults with agencies and local governments about technical processes for onboarding records including any automation or integration. Annual expenses are \$242,518.
  5. Library & Archives Professional (1.0 FTE) – Responsible for consulting with agencies and local governments about metadata quality for their records, advising on catalog categories and search features to make records findable, and ensuring the overall health of the records catalog. Provides reference services to patrons seeking records, routing them to the correct agencies for records requests. Annual expenses are \$175,778.
- Project management to establish the Portal. These estimates are based on WaTech expenditures for projects of similar

complexity:

1. Quality Assurance (QA)– An independent verification and validation of project requirements; conducted by an external consultant. Usually required of IT projects of this complexity. QA provides stakeholders independent insight into how well project activities are going and where corrections might be needed. Expenses for 960 hours of QA services are \$192,000.
2. Organizational Change Management (OCM) - OCM enables organizations to address the need for change by accentuating the advantages of the upgrade, aligning them with core objectives, and fostering user acceptance. OCM is the linchpin for effective communication and stakeholder engagement, which is a cornerstone of the initiative's success. Expenses for 960 hours of OCM services are \$192,000.
3. Project Manager (PM) – PM assesses IT system requirements, plans and manages the implementation of the Portal, ensures tasks and deliverables are met, and coordinates stakeholders. The PM anticipates and mitigates risks to the timely implementation of the project, and ensures that the project is completed on schedule and within budget. Expenses for 1,480 hours of PM services are \$296,000.

#### Indeterminate Costs:

Expenditures to establish/set-up a Portal and to continue the operation of the Portal are currently unknown; the cost of the initial investment and ongoing maintenance are indeterminate.

- Initial investment in the Portal (licenses and other related IT costs) may range from \$500,000 - \$1 million.
- Ongoing maintenance and support expenses – such as licenses, egress (pulling records from Cloud storage) - are also indeterminate.

The following variables will impact the initial investment and ongoing expenses:

- Data processing requirements due to the size of the public record request and/or context,
- Records categorized as “commonly requested public records”,
- Size of archived records and retention period,
- Number of agencies and records that will be on the portal during the 5-year period,
- Number of users of the portal,
- Number of connections to existing information systems and portals that need to be established,
- Amount of technical assistance needed by agencies and the public,
- Usability studies to make records findable and usable by the public, and
- The cost to reuse an existing custom solution versus the cost of procuring and configuring a solution.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.
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### III. B - Expenditures by Object Or Purpose

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