

Multiple Agency Fiscal Note Summary

Bill Number: 2118 S HB	Title: Firearms dealers
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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
Washington State Patrol	0	0	32,074	0	0	64,148	0	0	64,148
Total \$	0	0	32,074	0	0	64,148	0	0	64,148

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	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	0	0	21,793	.1	0	0	43,586	.1	0	0	43,586
Department of Licensing	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	Fiscal note not available											
Total \$	0.0	0	0	21,793	0.1	0	0	43,586	0.1	0	0	43,586

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	Non-zero but indeterminate cost and/or savings. Please see discussion.								
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
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	Fiscal note not available								
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	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Kyle Siefering, OFM	Phone: (360) 995-3825	Date Published: Preliminary 1/26/2024
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Judicial Impact Fiscal Note

Bill Number: 2118 S HB	Title: Firearms dealers	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: John Burzynski	Phone: 360-786-7133	Date: 01/22/2024
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/24/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/24/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/25/2024

192,018.00

Form FN (Rev 1/00)

Request # 136-1

Bill # 2118 S HB

Part II: Narrative Explanation

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

The substitute bill would allow law enforcement to investigate a breach of the licensing conditions established and would allow the attorney general to create, publish, and require firearm dealers to file a uniform form.

The bill would amend RCW 9.41.110 to require an individual prior to selling a firearm at a firearms dealer to undergo fingerprinting and a background check and that the business annually certify in writing that they are in compliance with the licensure requirements.

II. B - Cash Receipts Impact

None

II. C - Expenditures

The substitute bill would not have any Administrative Office of the Courts or court impact.

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

192,018.00

Form FN (Rev 1/00)

Individual State Agency Fiscal Note

Bill Number: 2118 S HB	Title: Firearms dealers	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:

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: John Burzynski	Phone: 360-786-7133	Date: 01/22/2024
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 01/25/2024
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 01/25/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/25/2024

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 Attorney General's Office (AGO) Licensing & Administrative Law Division (LAL) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Licensing (DOL). The enactment of SHB 2118 will not impact the provision of legal services to DOL because the client does not anticipate the new dealer requirements in this bill to result in additional audit or enforcement actions. Possible LAL Assistant Attorney General (AAG) impacts are limited to constituent correspondence related to the new dealer physical security requirements and self-certification requirements, especially prior to and immediately after the bill becomes effective. The fiscal impact to LAL is not expected to result in more than 90 AAG hours per FY. New legal services are nominal and costs are not included in this request.

The AGO Criminal Justice Division (CRJ) has reviewed this bill and determined it will not increase or decrease the division's workload in representing the Washington State Patrol (WSP). The enactment of this bill will not impact the provision of legal services to WSP because Section 1 places various additional requirements on firearms dealers as conditions of licensure. The bill does not place any additional requirements on WSP and it is not anticipated the bill will generate any requests for legal advice. Therefore, no costs are included in this request.

The AGO Government Compliance and Enforcement Division (GCE) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing WSP. SHB 2118 would impose certain requirements on firearms dealers relating to employees, building security, and records maintenance. Although GCE provides program-specific advice and litigation support to WSP, none of those programs would be implicated by this bill. Therefore, no costs are 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

Bill Number: 2118 S HB	Title: Firearms dealers	Agency: 225-Washington State Patrol
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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
Fingerprint Identification Account-State 225-1		32,074	32,074	64,148	64,148
Total \$		32,074	32,074	64,148	64,148

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.1	0.0	0.1	0.1
Account					
Fingerprint Identification Account-State 225-1	0	21,793	21,793	43,586	43,586
Total \$	0	21,793	21,793	43,586	43,586

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: John Burzynski	Phone: 360-786-7133	Date: 01/22/2024
Agency Preparation: Thomas Bohon	Phone: (360) 596-4044	Date: 01/23/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/23/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/24/2024

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 substitute version of the proposed legislation does not change our fiscal impact.

There is a fiscal impact to the Washington State Patrol (WSP).

Revised section 1(4) adds the authorization for law enforcement agencies to investigate dealers in their jurisdiction in regards to licensing conditions.

Section 1(5)(b) changes the fingerprint background requirement for Firearm Dealer Employees (FDE) who may sell a firearm in the course of their employment to an annually recurring basis.

Section 1(11)(b)(i) states a dealer shall allow access to the security system to an agent of the WSP conducting an inspection of the licensee's premises, for the purpose of inspecting the system for compliance with this section, but only if a warrant or court order would not generally be required for that access.

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.

There is a positive cash receipt impact to WSP.

Section 1(5)(b) changes FDE license requirements to match the requirements of a Concealed Pistol License (CPL) in that they must be over the age of 21 and annually submit a state fingerprint based background check. As these fingerprints must be mailed to the WSP, we charge \$58 for a state based fingerprint background check. Using the 2023 FDE background checks we processed, we are estimating an annual increase of 553 checks each year, resulting in an increased revenue of \$32,074 annually starting in FY2025.

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 1(5)(b) changes the fingerprint background requirement for Firearm Dealer Employees (FDE) who may sell a firearm in the course of their employment to an annually recurring basis. Using the 2023 FDE background checks we processed, we are estimating an annual increase of 553 checks each year. This will result in an increased workload of 0.17 FTEs of a Fingerprint Technician 2, the total cost of which is \$21,793 annually.

Section 1(11)(b)(i) states "A dealer shall allow access to the [building security] system to an agent of the WSP conducting an inspection of the licensee's premises, for the purpose of inspecting the system for compliance with this section, but only if a warrant or court order would not generally be required for that access." WSP agents are not currently mandated to inspect building security systems, nor are we involved in the federal firearm license (FFL) process; local jurisdictions approve FFLs to operate within their boundaries. Additionally, we do not have personnel who hold building security system inspection expertise. Furthermore, if we were ever needed to inspect or investigate a firearms dealer, it would constitute a search that would require a warrant or court order. With that, there are no firearm dealers within the jurisdiction of the WSP, so we do not anticipate ever being in a situation where this section would apply, resulting in no additional workload impacts.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
225-1	Fingerprint Identification Account	State	0	21,793	21,793	43,586	43,586
Total \$			0	21,793	21,793	43,586	43,586

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.1	0.0	0.1	0.1
A-Salaries and Wages		11,798	11,798	23,596	23,596
B-Employee Benefits		4,537	4,537	9,074	9,074
C-Professional Service Contracts					
E-Goods and Other Services					
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-Indirect Costs		5,458	5,458	10,916	10,916
Total \$	0	21,793	21,793	43,586	43,586

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
Fingerprint Technician 2	69,401		0.1	0.0	0.1	0.1
Total FTEs			0.1	0.0	0.1	0.1

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

Bill Number: 2118 S HB	Title: Firearms dealers	Agency: 240-Department of Licensing
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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: John Burzynski	Phone: 360-786-7133	Date: 01/22/2024
Agency Preparation: Gina Rogers	Phone: 360-634-5036	Date: 01/23/2024
Agency Approval: Collin Ashley	Phone: (564) 669-9190	Date: 01/23/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/25/2024

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.

No change from previous fiscal note.

Changes from HB 2118 to SHB 2118

- Authorizes Law Enforcement Agencies to investigate breaches in licensing requirements for firearms dealers.
- Authorizes the Attorney General to create/publish/require firearms dealers to file a uniform form for all annual dealer reports required under the bill.
- These changes do not impact Department of Licensing.

This bill sets new requirements for firearms dealer employees and business operations. Since Department of Licensing does not issue firearms dealer licenses or regulate them for compliance, this bill has no requirements or fiscal impacts on the agency.

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.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 2118 S HB

Title: Firearms dealers

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

Cities: Indeterminate costs associated with investigation and prosecution of violations of new requirements for firearm dealers

Counties: Same as above, plus potential jail costs

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs:

Legislation provides local option:

Key variables cannot be estimated with certainty at this time: Number of instances of violations

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

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

Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/25/2024
Leg. Committee Contact: John Burzynski	Phone: 360-786-7133	Date: 01/22/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/25/2024
OFM Review: Kyle Siefering	Phone: (360) 995-3825	Date: 01/25/2024

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

CHANGES BETWEEN THIS VERSION AND PRIOR VERSION OF THE BILL:

The substitute adds a provision indicating that a law enforcement agency may investigate a breach of the licensing conditions established by the bill. This addition does not affect the indeterminate impacts discussed below.

SUMMARY OF BILL:

Sec. 1 amends RCW 9.41.110. As a condition of licensure, a firearms dealer shall annually certify to the licensing authority, in writing and under penalty of perjury, that the dealer is in compliance with each licensure requirement established in this section. This section further establishes requirements for building security for firearms dealers. Any law enforcement agency acting within the scope of its jurisdiction may investigate a breach of the licensing conditions established in this chapter.

This act takes effect January 1, 2025.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

The legislation would result in indeterminate costs for cities and counties.

RCW 9.41.810 defines the penalty for any violation of RCW 9.41 as a misdemeanor unless otherwise noted, and therefore the Local Government Fiscal Note Program (LGFN) assumes that violations of the new provisions on building security would be prosecuted as misdemeanors. The average cost to investigate and prosecute a misdemeanor is approximately \$2,117, according to the LGFN criminal justice cost model. Any sentences as a result of violations would be served in county jails, at an average daily bed cost of \$145.

The legislation defines the penalty for violating section 1(6) as perjury. RCW 9A.72.020 establishes that perjury in the first degree is a class B felony. Costs to investigate and prosecute a comparable felony charge are approximately \$6,987, according to the LGFN criminal justice cost model. Sentences for a violation of this provision would be served either in jail or prison.

Because the number of violations cannot be estimated, the total costs are indeterminate.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

The legislation would have no revenue impacts for local governments.

SOURCES:

Local Government Fiscal Note Program criminal justice cost model