

Multiple Agency Fiscal Note Summary

Bill Number: 5799 SB	Title: Sale of halal foods
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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	.9	284,000	284,000	284,000	1.1	286,000	286,000	286,000	.0	0	0	0
Department of Agriculture	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.9	284,000	284,000	284,000	1.1	286,000	286,000	286,000	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 Agriculture	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Matthew Hunter, OFM	Phone: (360) 529-7078	Date Published: Final 1/30/2024
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Individual State Agency Fiscal Note

Bill Number: 5799 SB	Title: Sale of halal foods	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	1.8	0.9	1.1	0.0
Account					
General Fund-State 001-1	0	284,000	284,000	286,000	0
Total \$	0	284,000	284,000	286,000	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: Karen Epps	Phone: 360-786-7424	Date: 01/23/2024
Agency Preparation: Dan Jensen	Phone: 360-664-9429	Date: 01/29/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/29/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/29/2024

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. Definitions.

Section 2 - New section. Provides that no person may knowingly sell or offer for sale food product incorrectly marked, stamped, tagged, branded, labeled, or represented as halal foods. Such a misrepresentation cannot be made orally or in writing in any language.

Section 3 - New section. Establishes that violations of this chapter are gross misdemeanors and violations of the Consumer Protection Act (CPA).

Section 4 - New section. This chapter is known as the Halal Food Consumer Protection Act (HFCPA).

Section 5 - Amends RCW 15.130.140. Clarify that halal food doesn’t qualify for the exemption from the food labeling requirements of that chapter.

Section 6 - New section. Sections 1 through 4 constitute a new chapter in Title 69 RCW.

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

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.

Attorney General’s Office (AGO) Consumer Protection Division (CPR) 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’s (CPR) Legal Services:

CPR activities are funded with General Fund-State dollars. There is no appropriate client agency to bill for legal services. CPR assumes they will investigate at least three targets in FY 2025. CPR will bring enforcement action against at least two

targets in FY 2026, and litigation against these targets will conclude in FY 2027. Industry will come into full compliance after three years. The bill will remain as drafted, with a requirement that a party enforcing the bill prove that the entity presenting the food as halal knew that it was not halal. Proving knowledge will require more resources than a traditional consumer protection claims, which does not require parties to prove knowledge.

During FY 2025, AAG duties include investigating potential violations, drawing conclusions from investigations, drafting Civil Investigative Demand (CID) and discovery requests, take investigative depositions, retain expert witnesses, and work with them to develop testimony. Paralegal 2 (PL2) duties include managing documents, drafting CID and discovery requests, and manage responses. Senior Investigator (INV) duties include interview witnesses and reviewing investigative records. During FY 2026, AAG duties include investigating potential violations, drawing conclusions from investigations, drafting CID and discovery requests, take investigative depositions, retain expert witnesses, and work with them to develop testimony. PL2 duties include managing documents, drafting CID and discovery requests, and manage responses. INV duties include interview witnesses and reviewing investigative records. During FY 2027, AAG duties include investigating potential violations, drawing conclusions from investigations, drafting CID and discovery requests, litigating cases, and negotiating settlements. PL2 duties include manage documents, drafting CID and discovery requests, managing responses along with drafts, and file pleadings.

CPR enforces the Consumer Protection Act (CPA) with respect to conduct that is made unlawful under RCW 19.86.020, which broadly prohibits unfair or deceptive acts or practices in trade or commerce. CPR focus is on representations and failures to disclose terms and conditions.

CPR: Total King County workload impact:

FY 2025: \$284,000 for 0.5 AAG, 0.5 INV, 0.3 PL2, and 0.3 PL1, which includes direct litigation costs of \$18,000

FY 2026: \$168,000 for 0.3 AAG, 0.3 INV, 0.3 PL2, and 0.2 PL1, which includes direct litigation costs of \$19,000

FY 2027: \$118,000 for 0.3 AAG, 0.3 PL2, and 0.2 PL1, which includes direct litigation costs of \$9,000

2. The 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 Agriculture (AGR). New legal services are nominal and costs are not included in this request.

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	284,000	284,000	286,000	0
Total \$			0	284,000	284,000	286,000	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.8	0.9	1.1	
A-Salaries and Wages		180,000	180,000	173,000	
B-Employee Benefits		55,000	55,000	54,000	
C-Professional Service Contracts		5,000	5,000	5,000	
E-Goods and Other Services		40,000	40,000	48,000	
G-Travel		4,000	4,000	6,000	
Total \$	0	284,000	284,000	286,000	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		0.5	0.3	0.3	
Management Analyst 5	95,184		0.2	0.1	0.1	
Paralegal 1-Seattle	72,528		0.3	0.2	0.2	
Paralegal 2-Seattle	79,992		0.3	0.2	0.3	
Senior Investigator-Seattle	105,012		0.5	0.3	0.2	
Total FTEs			1.8	0.9	1.1	0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Consumer Protection Division (CPR)		284,000	284,000	286,000	
Total \$		284,000	284,000	286,000	

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.

Individual State Agency Fiscal Note

Bill Number: 5799 SB	Title: Sale of halal foods	Agency: 495-Department of Agriculture
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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.
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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Karen Epps	Phone: 360-786-7424	Date: 01/23/2024
Agency Preparation: Wil Satak	Phone: 360-951-5086	Date: 01/25/2024
Agency Approval: Lori Peterson	Phone: 360-974-9767	Date: 01/25/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	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.

Under current law Washington State Department of Agriculture (WSDA) implements food safety regulations under Chapter 15.130 Revised Code of Washington (RCW) and Chapter 69.07 RCW. Also under current law (Chapter 69.90 RCW and RCW 15.130.140), kosher food products are exempted from the provisions of Chapter 15.130 RCW to the extent necessary to produce these products as defined. The proposed legislation would establish consumer protections for halal food products.

Section 1 would define halal food.

Section 5 would amend RCW 15.130.140 to exempt halal food products from the provisions of Chapter 15.130 RCW to the extent necessary to produce halal food as defined in section 1.

The proposed legislation would create consumer protections for halal food, like the consumer protection provided under current law for kosher foods. Rule adoption is not necessary to implement the exemptions in RCW 15.130.140. Because WSDA does not currently implement food safety inspections specific to halal food production, the exemption in section 5 would not change WSDA's actions to implement food safety requirements under current law or create any fiscal impacts for the department.

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.