

Multiple Agency Fiscal Note Summary

Bill Number: 5171 S SB	Title: Consumer products/gender
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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	.9	284,000	284,000	284,000	1.1	286,000	286,000	286,000	.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

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 2/ 1/2024
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Judicial Impact Fiscal Note

Bill Number: 5171 S SB	Title: Consumer products/gender	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: Joe McKittrick	Phone: 3607867287	Date: 01/29/2024
Agency Preparation: Angie Wirkkala	Phone: 360-704-5528	Date: 01/30/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/30/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/31/2024

192,831.00

Form FN (Rev 1/00)

Request # 163-1

Bill # 5171 S SB

Part II: Narrative Explanation

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

The substitute bill would remove civil penalties for violations of the statute included in the original bill. There would be no fiscal impact to the Administrative Office of the Courts. Impact to the courts would remain minimal.

This bill amends and adds a new section to RCW 19.86 expanding the consumer protection chapter.

Section 1 prohibits price differences in goods that are substantially similar but priced differently based on the gender of whom the goods are marketed.

II. B - Cash Receipts Impact

None

II. C - Expenditures

ADMINISTRATIVE OFFICE OF THE COURTS

No fiscal impact. Current court business processes in the case management systems are available for civil cases filed for violating the provisions of this bill.

COUNTIES

Minimal fiscal impact. Section 1(3) authorizes the Attorney General for another type of action (petition a court for an order to enjoin and restrain the continuance of the violations) that could result in additional civil case filings. The number of increased filings is not known.

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

192,831.00

Form FN (Rev 1/00)

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Request # 163-1

Bill # 5171 S SB

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

Individual State Agency Fiscal Note

Bill Number: 5171 S SB	Title: Consumer products/gender	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: Joe McKittrick	Phone: 3607867287	Date: 01/29/2024
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 02/01/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/01/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/01/2024

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. No person or entity may charge a different price for essentially the same service based on gender. This does not forbid differences in prices that are based on differences in amount or type of service being provided. The Attorney General's Office (AGO) may seek enforcement through an injunction. Provides applicable definitions. This Act affects the public interest for purposes of chapter 19.86 RCW.

Section 2: New Section. Act is a new chapter in Title 19 RCW.

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 (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. The AGO Consumer Protection Division (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 enforcement to ensure compliance during the first three years after enactment, litigation will be necessary to enforce industry compliance, and industry compliance will increase as a result of litigation enforcement efforts.

During FY 2025, AAG duties include investigating potential violations, drawing conclusions from investigations, drafting Civil Investigative Demand (CID) and discovery requests, taking investigative depositions, retaining expert witnesses and working with them to develop testimony. Paralegal 2 (PL2) duties include managing documents, drafting CID and discovery requests, and managing responses. Senior Investigator (INV) duties include interviewing witnesses and reviewing investigative records. During FY 2026, AAG duties include investigating potential violations, drawing conclusions from investigations, drafting CID and discovery requests, taking investigative depositions, retaining expert witnesses and working with them to develop testimony. PL2 duties include managing documents, drafting CID and discovery requests, and managing responses. INV duties include interviewing 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 filing 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 Administration Division (ADM) has reviewed this bill and determined it will not increase or decrease the division’s workload. Therefore, no costs are included in this request.

3. The AGO Civil Rights Division (CRD) has reviewed this bill and determined it will not increase or decrease the division’s workload. Therefore, no costs are included in this request.

4. The AGO Solicitor General’s Office (SGO) has reviewed this bill and determined it will not increase or decrease the division’s workload. Therefore, no costs are 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		18,000	18,000	28,000	
E-Goods and Other Services		29,000	29,000	29,000	
G-Travel		2,000	2,000	2,000	
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.