

Multiple Agency Fiscal Note Summary

Bill Number: 2352 HB	Title: College athletes
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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
Office of State Treasurer	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Office of Attorney General	0	0	186,000	0	0	328,000	0	0	267,000
Student Achievement Council	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	186,000	0	0	328,000	0	0	267,000

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 State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.7	0	0	186,000	1.0	0	0	328,000	.8	0	0	267,000
Student Achievement Council	2.0	0	0	900,000	4.0	0	0	1,728,000	4.0	0	0	1,728,000
University of Washington	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Washington State University	.0	18,000	18,000	18,000	.0	18,000	18,000	18,000	.0	18,000	18,000	18,000
Washington State University	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Eastern Washington University	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Central Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
The Evergreen State College	.0	0	0	0	.0	0	0	0	.0	0	0	0
Western Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Community and Technical College System	.0	3,400	3,400	3,400	.0	6,800	6,800	6,800	.0	6,800	6,800	6,800
Total \$	2.7	21,400	21,400	1,107,400	5.0	24,800	24,800	2,080,800	4.8	24,800	24,800	2,019,800

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Student Achievement Council	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	.0	0	0	.0	0	0	.0	0	0
Central Washington University	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Western Washington University	.0	0	0	.0	0	0	.0	0	0
Community and Technical College System	.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

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Prepared by: Ramona Nabors, OFM	Phone: (360) 742-8948	Date Published: Final 2/13/2024
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Individual State Agency Fiscal Note

Bill Number: 2352 HB	Title: College athletes	Agency: 090-Office of State Treasurer
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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:

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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Mandy Kaplan	Phone: (360) 902-8977	Date: 02/01/2024
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 02/01/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/02/2024

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.

HB 2352 creates the Washington college athlete protection fund and allows the fund to retain its earnings from investments.

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.

Projected cash flows are currently unavailable; therefore, estimated earnings from investments are indeterminable.

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: 2352 HB	Title: College athletes	Agency: 100-Office of Attorney General
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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
Legal Services Revolving Account-State 405-1		186,000	186,000	328,000	267,000
Total \$		186,000	186,000	328,000	267,000

Estimated Operating Expenditures from:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.4	0.7	1.0	0.8
Account					
Legal Services Revolving Account-State 405-1	0	186,000	186,000	328,000	267,000
Total \$	0	186,000	186,000	328,000	267,000

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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 01/22/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 01/22/2024
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. Establishes a degree completion program and fund for scholarship athletes, and a governing panel. Establishes regulations for use of the fund. On or before July 1, 2025, and every year thereafter, institutions of higher learning must make payments from fund. Payments are based on higher education institution funding received with calculations based on 2023 and later. Gender equality requirements. Beginning January 2, 2025, Division I schools must publish on website and submit to panel reports on use of funds and educational data.

Section 3: New section. Requirements for notices to athletes.

Section 4: New section. Program and panel established within the Washington Student Achievement Council (WSAC). 11 member panel with various member requirements. Panel policy and investigative duties. Authorizes penalties imposed by panel.

Section 5: New section. Institution with more than \$20 million in annual revenue must cover out-of-pocket medical expenses for college athletes for two years after becoming a “former college athlete.” There is no coverage for athletes who transfer and covers only expenses related to athletic participation.

Section 6: New section. Athletic grants must be for six years (or baccalaureate degree), regardless of participation limited by performance or injury. Limitations for transferring athletes, academic failure to perform, and criminal convictions. These provisions apply only to Division I schools. Athletes cannot be pressured not to pursue degree of choice or not to take internships. Funding requirements and limitations based on college revenue.

Section 7: New section. Requirements for colleges recruiting in-state.

Section 8: New section. Certification requirements for persons or entities providing agent, marketing, and financial advising services to athletes. Authorizes fees and setting of requirements.

Section 9: New section. On or before January 15, 2025, Division I schools must pay a fee to WSAC, not to exceed \$7 million per year, and based on tiers established in the bill and with refund provisions.

Section 10: New section. Division I institutions must provide financial and life skills education for college athletes.

Section 11: New section. Rules under this bill cannot conflict with athlete’s ability to receive other services or assistance.

Section 12: New section. No retaliation for filing a complaint.

Section 13: New section. The Washington College Athlete Protection Fund (WCAFP) established within the Office of State Treasurer.

Section 14: New section. WSAC authorized to adopt and amend rules.

Section 15: New section. Bill does not limit other entities’ enforcement and regulatory authority.

Section 16: New section. Title: “College Athlete Protection Act.”

Section 17: New section. Savings clause.

Section 18: New section. New chapter in Title 28B RCW.

Section 19: Amends RCW 49.79A.040 to include WCAPF.

Section 20: Amends RCW 43.71A.040 to include WCAPF.

Section 21: Amends RCW 43.71A.040 to include WCAPF.

Section 22: Section 19 expires July 1, 2024. Section 20 expires July 1, 2030.

Section 23: Section 21 takes effect July 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 receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agencies are the University of Washington (UW), Washington State University (WSU), and the Washington Student Achievement Council (WSAC). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agencies' fiscal note. Appropriation authority is necessary in the AGO budget.

AGO AGENCY ASSUMPTIONS:

UW will be billed for King County rates:

FY 2025: \$19,000 for 0.1 Assistant Attorney General FTE (AAG) and 0.1 Paralegal 1 FTE (PL1)

FY 2026: \$42,000 for 0.2 AAG and 0.1 PL1

FY 2027: \$42,000 for 0.2 AAG and 0.1 PL1

FY 2028: \$23,000 for 0.1 AAG and 0.1 PL1

WSAC will be billed for non-King County rates:

FY 2025: \$149,000 for 0.5 AAG and 0.3 PL1

FY 2026 and in each FY thereafter: \$113,000 for 0.3 AAG and 0.2 PL1, which includes direct litigation costs of \$40,000.

WSU will be billed for non-King County rates:

FY 2025: \$18,000 for 0.1 AAG and 0.1 PL1

FY 2026 and in each FY thereafter: \$9,000 for 0.1 AAG and 0.1 PL1

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 King County and non-King County office buildings.

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 Education Division (EDU) Legal Services for the Washington Student Achievement Council (WSAC):

The AGO will bill WSAC for legal services based on the enactment of this bill. This bill establishes a new program within WSAC, the College Athlete Protection Program, which will have regulatory authority over the requirements imposed in the bill, including authority to audit compliance by institutions of higher education. At this time, it is difficult to predict what that legal landscape will look like, but it is assumed that the standing up of the new program and interpretation of this lengthy and intricate statute will require significant legal advice at the outset, which would include advice relating to the adoption of rules related with the program. It is further assumed that there will be ongoing need for legal advice as WSAC carries out its oversight and regulatory responsibilities under this program. Section 4 creates the Washington College Athlete Protection Panel (WCAAP) within WSAC. This is a new entity with significant responsibilities under this statutory scheme. The initial year of implementation will require significant client advice to support WSAC and WCAPP in becoming established and beginning to implement the responsibilities under the bill. Section 8 provides for audit, certification, investigations, inspections and administrative enforcement, and adjudication. Performance of these obligations is expected to require significant legal advice and representation on an ongoing basis. EDU assumes that this will require .25 AAG to provide ongoing legal advice, guidance, and representation in administrative proceedings.

During FY 2025, WSAC and the College Athlete Protection Program will require 0.5 AAG for legal advice about the structure of the program and implementation of its responsibilities under the law, including advice relating to adoption of rules and Open Public Meetings Act (OPMA) compliance. During FY 2026 and each fiscal year thereafter, EDU assumes initial legal support will begin to decrease as the WCAPP starts operating. EDU assumes WCAPP will require ongoing 0.3 AAG legal advice relating to rules adoption, implementation, and support as it performs its regulatory functions including enforcement actions and OPMA compliance. EDU direct litigation costs for FY 2026 and each fiscal year thereafter include \$40,000. Assuming regulatory action and administrative proceedings resulting from said action, it is assumed that there will be costs associated with expert analysis and testimony. This is an extremely conservative estimate as it is difficult, if not impossible, to predict the number or scope of proceedings that may arise.

EDU: Total non-King County workload impact:

FY 2025: \$149,000 for 0.5 AAG and 0.3 PL1

FY 2026 and each fiscal year thereafter: \$113,000 for 0.3 AAG and 0.1 PL1, which includes direct litigation costs of \$40,000

2. Assumptions for the AGO University of Washington Division (UOW) Legal Services for the University of Washington (UW):

The AGO will bill UW for legal services based on the enactment of this bill. Special Assistant Attorney General (SAAG) costs will be covered by UW. The law is not preempted by federal law during this period. AAG will not be required to travel for work described above. UW and the AGO can negotiate fixed rates for SAAG work. No appellate costs related to any litigation. Ongoing legal advice related to the law that is within the current bandwidth of the division.

During FY 2025, UOW estimates 100 AAG hours. UOW will advise UW on establishing new programs to comply with the

law, generating policy in response to the law and navigating compliance with this law vis-à-vis other federal legislation, NCAA rules, other state laws, lawsuit judgments, litigation settlements, and other UW contracts. During FY 2026 and FY 2027, UOW estimates 250 AAG hours. UOW will advise UW on establishing new programs to comply with the law, generating policy in response to the law and navigating compliance with this law vis-à-vis other federal legislation, NCAA rules, other state laws, lawsuit judgments, litigation settlements, and other UW contracts. SAAG hours and management of SAAG related to litigation initiated against UW related (directly or indirectly) to this law. During FY 2028, UOW estimates 150 AAG hours. UOW will advise UW on establishing new programs to comply with the law, generating policy in response to the law and navigating compliance with this law vis-à-vis other federal legislation, NCAA rules, other state laws, lawsuit judgments, litigation settlements, and other UW contracts. SAAG hours and management of SAAG related to litigation initiated against UW related (directly or indirectly) to this law.

UOW: Total King County workload impact:

FY 2025: \$19,000 for 0.1 AAG and 0.1 PL1

FY 2026 and FY 2027: \$42,000 for 0.2 AAG and 0.1 PL1

FY 2028: \$23,000 for 0.1 AAG and 0.1 PL1

3. Assumptions for the AGO Washington State University Division (AGO-WSU) Legal Services for the Washington State University (WSU):

The AGO will bill WSU for legal services based on the enactment of this bill. The enactment of this bill will impact the provision of legal services to WSU because implementation of the law and allocation of funds will require proper statutory compliance. Securing funds and providing proper oversight and management of funds will require new and novel legal advice as it relates to the statute. Implication of existing laws, such as Title IX, will require additional analysis and research to ensure compliance. Management of information related to implementation of the law will require updated analysis of public records law, records retention law, and data security (medical records). Initial impact will likely require a noticeable increase in work. However, after implementation and a period of adjustment, this workload will likely be reduced. Most expenses will occur during the preparation and implementation process. Monitoring for compliance with the statute and possible effects on other areas of legal compliance will be necessary during the first year and after implementation. However, expenses should decrease significantly as WSU becomes competent and compliance and implementation. This bill will require increased administrative oversight for WSU in the areas of Business & Finance, athletics compliance, medical and insurance administration, and internal auditing practices. Additional AAG hours will be required in advising WSU.

During FY 2025, AGO-WSU estimates 100 AAG hours. Implementation of law and allocation of funds will require proper statutory compliance. Securing funds and providing proper oversight and management of funds will require new a novel legal advice as it relates to the statute. Training and familiarizing client staff with new law will require regular advice and counseling. During FY 2026 and each fiscal year thereafter, WSU estimates 50 AAG hours. Continued legal review, compliance advice, management of any threatened litigation, and litigation with outside counsel.

WSU: Total non-King County workload impact:

FY 2025: \$18,000 for 0.1 AAG and 0.1 PL1

FY 2026 and in each fiscal year thereafter: \$9,000 for 0.1 AAG and 0.1 PL1

4. The AGO Regional Services Division (RSD) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

5. The AGO Revenue and Finance Division (REV) has reviewed this bill and determined it will not increase or decrease the division's workload for the provision of legal services to the Office of State Treasurer (OST) because the bill does not impose any unusual requirements on the OST. OST's anticipated services related to this bill are commonly provided by that agency without much, if any, legal support from the REV Division. If OST will need legal support related to this bill, such new legal services are nominal and costs are not included in this request.

6. 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.

7. 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.

Total AGO workload impact:

FY 2025: \$186,000 for 0.7 AAG and 0.4 PL1

FY 2026 and FY 2027: \$164,000 for 0.5 AAG and 0.3 PL1, which includes direct litigation costs of \$40,000

FY 2028: \$145,000 for 0.4 AAG and 0.3 PL1, which includes direct litigation costs of \$40,000

FY 2029 and in each FY thereafter: \$122,000 for 0.3 AAG and 0.2 PL1, which includes direct litigation costs of \$40,000

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
405-1	Legal Services Revolving Account	State	0	186,000	186,000	328,000	267,000
Total \$			0	186,000	186,000	328,000	267,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.4	0.7	1.0	0.8
A-Salaries and Wages		126,000	126,000	170,000	128,000
B-Employee Benefits		39,000	39,000	52,000	39,000
C-Professional Service Contracts				80,000	80,000
E-Goods and Other Services		20,000	20,000	26,000	20,000
G-Travel		1,000	1,000		
Total \$	0	186,000	186,000	328,000	267,000

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	129,100		0.6	0.3	0.3	0.3
Assistant Attorney General-Seattle	135,555		0.1	0.1	0.2	0.1
Management Analyst 5	95,184		0.3	0.2	0.2	0.2
Paralegal 1	69,072		0.3	0.2	0.2	0.2
Paralegal 1-Seattle	72,528		0.1	0.1	0.1	0.1
Total FTEs			1.4	0.7	1.0	0.8

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Education Division (EDU)		149,000	149,000	226,000	226,000
University of Washington Division (UOW)		19,000	19,000	84,000	23,000
Washington State University Division (WSU)		18,000	18,000	18,000	18,000
Total \$		186,000	186,000	328,000	267,000

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: 2352 HB	Title: College athletes	Agency: 340-Student Achievement Council
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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:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	4.0	2.0	4.0	4.0
Account					
Washington College Athlete Protection Fund-State NEW-1	0	900,000	900,000	1,728,000	1,728,000
Total \$	0	900,000	900,000	1,728,000	1,728,000

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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Sam Loftin	Phone: 360-753-7866	Date: 01/30/2024
Agency Approval: Brian Richardson	Phone: 360-485-1124	Date: 01/30/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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.

HB 2352 establishes the Washington College Athlete Protection Program within the Student Achievement Council (WSAC) to be administered by an 11-member Washington College Athlete Protection panel (Panel). (Section 4)

The bill requires public four-year institutions located in Washington that maintain an athletic program and that participated in a National Collegiate Athletic Association (NCAA) Division I sport on or after January 1, 2023, to establish a degree completion fund. The fund shall be used to compensate college athletes who receive an athletic scholarship or grant. (Section 2)

Payments shall be made to a college athlete within 60 days of earning a baccalaureate degree or providing proof of a severe medical condition that prevents the athlete from earning a baccalaureate degree.

Institutions shall maintain an accurate accounting of their aggregate athletic grants and revenue, and the panel may audit an institution's accounting.

Within 15 days of making degree completion fund payments, institutions shall submit to the panel a list of information related to such payments.

The panel shall have the following enforcement duties (per Section 4):

- * Investigating complaints regarding reported violations of this chapter;
- * Issuing subpoenas to obtain information to carry out its duties;
- * Requiring institutions subject to this chapter to provide athletic grants, make payments for college athlete medical coverage, and provide other remedies necessary to ensure compliance;
- * Referring individuals or entities to the attorney general for prosecution, as appropriate;
- * Determining the best practice guidelines and policies that may benefit high school athletes and high school sports programs, and make them available and accessible to the public;
- * Implementing efforts with other states, local governments, intercollegiate sports conferences or associations, or other stakeholders to protect the well-being of intercollegiate athletes;
- * Holding quarterly meetings;
- * Distributing an annual report on the state of college athlete protections established pursuant to this chapter;
- * Communicating with legislators about ways to improve this chapter; and
- * Using funds appropriated by the legislature to execute its duties and powers.

Individuals who violate this act may be subject to penalties established pursuant to regulations adopted by the panel.

Institutions shall provide a notice to college athletes who exhaust their intercollegiate eligibility or transfer to another institution regarding the opportunity to undergo a physical examination to diagnose an athletic program-related injury or medical condition.

Section 7 of the bill requires institutions to submit a list of companies and industries the institution prohibits a prospective college athlete from entering into a name, image, and likeness (NIL) agreement with as a college athlete; whether the institution reserves the right to influence an athlete's choice of representation; whether the institution may limit the athlete's representation to NIL activities; and whether the institution may receive any payment or benefit from an individual or entity in exchange for granting access to college athletes for purposes related to NIL agreements. The panel shall publish this information on a publicly accessible website.

Institutions must use a document to offer athletic scholarships that contains, at a minimum, disclosures related to the amount

of the athletic scholarship, the amount of education-related compensation to be offered to the college athlete, the percentage of medical coverage and out-of-pocket sports-related medical expenses that will be paid for by the institution, and a list of all colleges and universities the institution will not allow the athlete to transfer to once the agreement to attend the institution is executed.

The panel shall certify individuals or entities to serve as an intercollegiate athletics agent or to provide marketing or financial advising services to college athletes, and it prohibits individuals or entities from providing such services without the panel's approval. (Section 8)

The panel shall develop and adopt standards to:

- * Certify college athlete agents, agencies that employ college athletes, attorneys that represent college athletes in NIL contracts, and individuals and entities that provide financial advising or marketing services to college athletes;
- * Revoke certifications provided to individuals and entities for the above reasons; and
- * Protect college athletes from unfair fees and conditions required by agents or provided for marketing or financial advising services.

The panel may assess fees, fines, and penalties on individuals or entities that fail to comply with standards developed and adopted pursuant to this section, and it shall develop an appeal process for a denial or revocation of a certification or the issuance of a fee, fine, or penalty.

On or before January 15, 2025, and annually thereafter, Institutions are required to pay an annual fee to WSAC based on each institution's total athletics revenue to cover the regulatory costs of the program. The annual fees collected must not exceed \$7,000,000 in aggregate per year and shall be deposited in a new Washington College Athlete Protection fund. Fees paid by institutions shall be returned if the total amount of fees exceeds the regulatory costs of administering the program. (Sections 9 and 13)

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.

The bill requires WSAC to collect fees from institutions subject to the Washington College Athlete Protection Program (Section 9). Fees are based on each institution's total athletics revenue and would be deposited into a new Washington College Athlete Protection Fund to regulate the program.

The athletics revenue of these institutions and the resulting fee revenue generated from it is indeterminate given the recent athletic conference realignment and uncertainty regarding future revenues from media contracts and other sources. Based on 2022 revenue data, the total annual fees collected would have been approximately \$2,792,070, with the University of Washington and Washington State University contributing \$2,785,900 of this total fee amount.

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.

WSAC legal costs, per the Attorney General's Office, are estimated to be \$149,000 in FY25 dropping to \$113,000 annually in FY26 and ongoing.

WSAC estimates that staffing to administer this program will require 4.0 FTE costing \$751,000 annually (FY25 and ongoing). The FTEs will be split between several functions at WSAC as follows:

1.0 FTE Director, who will provide information and assistance to the Washington College Athlete Protection Panel in fulfilling its responsibilities; consult with panel members regarding the establishment of program regulations, standards, and

policies; engage with intercollegiate athletics stakeholders to provide information and encourage policies and action to support the implementation, operation, and expansion of college athlete rights and protections; maintain an accounting of fees paid by institutions; and adopt and amend rules necessary to fulfill the bill’s requirements.

1.0 FTE Associate Director, who will oversee technology and reporting infrastructure, review institutional compliance with the bill’s requirements, develop reports, respond to complaints, review fees and conditions required by agents and financial advising services, and assist with the adoption and amendment of rules.

1.0 FTE Program Associate, who will manage daily operations of the institutional reporting process and complaint management, create and maintain websites and other publications required by the bill, develop application forms for the certification of agents and agencies that employ college athletes, collect and maintain information related to certified agents, and collect and publish information provided by institutions related to NIL agreements.

1.0 FTE Administrative Assistant, who will maintain records required by the bill, schedule meetings, track information provided by institutions related to degree completion fund payments, distribute invoices, collect fees, and serve as the primary point of contact for initial questions from stakeholders.

State time estimates are rounded to the nearest 0.1 FTE and staff-related and other costs are rounded to the nearest \$1,000.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
NEW-1	Washington College Athlete Protection Fund	State	0	900,000	900,000	1,728,000	1,728,000
Total \$			0	900,000	900,000	1,728,000	1,728,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		4.0	2.0	4.0	4.0
A-Salaries and Wages		394,000	394,000	788,000	788,000
B-Employee Benefits		130,000	130,000	260,000	260,000
C-Professional Service Contracts					
E-Goods and Other Services		372,000	372,000	672,000	672,000
G-Travel		4,000	4,000	8,000	8,000
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	900,000	900,000	1,728,000	1,728,000

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
Administrative Assistant	68,000		1.0	0.5	1.0	1.0
Associate Director	110,000		1.0	0.5	1.0	1.0
Director	141,000		1.0	0.5	1.0	1.0
Program Associate	75,000		1.0	0.5	1.0	1.0
Total FTEs			4.0	2.0	4.0	4.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Policy Coordination and Administration (010)		900,000	900,000	1,728,000	1,728,000
Total \$		900,000	900,000	1,728,000	1,728,000

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.

The bill would require WSAC to adopt and amend rules as necessary to implement the chapter (Section 14).

Individual State Agency Fiscal Note

Revised

Bill Number: 2352 HB	Title: College athletes	Agency: 360-University of Washington
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Michael Lantz	Phone: 2065437466	Date: 01/30/2024
Agency Approval: Jed Bradley	Phone: 2066164684	Date: 01/30/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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.

House Bill 2352 concerns protections for student athletes at Washington's universities and colleges. The bill contains the following substantive provisions, many of which will directly impact the University of Washington (UW) and its athletic department:

Section 2 – Requires higher education institutions to establish a degree completion fund to incentivize college athletes who receive athletic grants to complete their degree.

Section 3 – Requires higher education institutions to distribute a notice to each college athlete containing specified information regarding their rights.

Section 4 – Establishes the Washington College Athlete Protection Program within the Washington State Achievement Council (WSAC) and creates an 11-member panel to administer the program.

Section 5 – Sets requirements for medical coverage of student athletes at institutions of higher education reporting more than \$20 million in annual revenue (subsection 1) and reporting more than \$50 million (subsection 2) in annual revenue.

Section 6 – Requires higher education institutions to provide a student athlete who has an athletic grant with that grant for up to six academic years, or through completion of a baccalaureate degree.

Section 7 – Requires higher education institutions engaged in recruiting in Washington state to submit certain specified information.

Section 8 – Requires a certification process for individuals or entities providing intercollegiate athletics agent, marketing, and financial advising services.

Section 9 – Requires higher education institutions that participate in Divisions I sports to pay an annual fee to the WSAC starting in January 2025. Provides formula for determining fee and caps fee at \$7 million per year.

Section 10 – Requires higher education institutions that participate in Division I sports to administer a financial and life skills development workshop program for each college athlete. Athletes would attend the workshop during their first and third year participating in the athletic program.

Section 11 – Prohibits higher education institutions from upholding any rule, requirement, standard, or limitation that prevents a college athlete from fully participating in athletics for specified reasons.

Section 12 – Prohibits higher education institutions from retaliating against college athletes for filing a complaint or reporting a violation of their rights under this measure.

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 following provisions of the bill are likely to have a financial impact on the UW's athletic department.

SECTION 2:

Section 2 would require the UW to create a degree completion fund to incentivize student athletes to complete their degree. As of January 2024, the UW has 414 student athletes on scholarship (full or partial). It is unclear at this time how much funding UW will be required to allocate for this provision. However, assuming the UW is required to allocate the maximum \$25,000 per year for each student athlete on scholarship, the total cost would be approximately \$10.35 million per year starting in FY26.

SECTION 3:

Section 3 contains requirements for UW to provide specified notices and other information to student athletes. The cost of compliance with this section is unknown but likely to be relatively minimal.

SECTION 5:

Section 5 would require the UW to provide nationally portable medical insurance at no cost to student athletes and to pay the out-of-pocket sports-related medical expenses for each student athlete while they are an athlete and for a four-year period after they become a former athlete. The costs for UW to comply with this section are highly indeterminate. However, they are likely to total several million dollars per year when all costs are considered, including full health insurance premiums for approximately 400 student athletes. Currently, the UW acts as a secondary insurance provider for student athletes and covers four years of medical expenses for certain injured student athletes.

SECTION 6:

Section 6 requires UW to provide a student athlete who has an athletic grant with that grant for up to six academic years, or through completion of a baccalaureate degree, regardless of whether the student athlete remains with the team. The costs for UW to comply with this section are highly indeterminate as the total cost is dependent on the number of current and former student athletes enrolled at the UW, whether they are classified as in-state or out-of-state students, whether they are on a full or partial athletic scholarship, and the time it takes them to complete their degree. Currently in-state student athletes at the UW on full scholarship receive the equivalent of approximately \$34,000 in grants while out-of-state student athletes receive the equivalent of approximately \$64,000.

SECTION 7:

Section 7 contains reporting requirements for the UW to WSAC regarding student athlete recruiting. The cost of compliance with this section is unknown but likely to be relatively minimal.

SECTION 9:

Section 9 requires the UW to pay an annual fee to WSAC starting in January 2025 equal to 1.3 percent of its athletic revenue. In FY23, the UW's reported athletic revenue was just under \$155 million. Based on this, the UW's annual fee to WSAC will likely exceed \$2 million per year.

SECTION 10:

Section 10 requires UW to administer a financial and life skills development workshop program for each student athlete during the student athlete's first and third year in the athletic program. The UW already provides some similar programs for student athletes. However, to develop, administer, and provide a new comprehensive program reaching approximately 200 student athletes every year is likely to cost at least \$25,000 per year.

LEGAL SERVICES:

In addition to the section-by-section costs discussed above, UW expects to be billed by the Attorney General's Office (AGO) for legal services provided related to this measure. The AGO will provide UW with advice related to establishing programs to comply with the new law, generating policy in response to the law, and navigating compliance with this law vis-à-vis other federal legislation, NCAA rules, other state laws, lawsuit judgments, litigation settlements, and other UW contracts. The AGO estimates that they will bill the UW \$19,000 in FY25, \$42,000 in FY26 and FY27, and \$23,000 in FY28 for work performed at rates associated with an attorney and paralegal position.

Overall, the costs to the UW to implement HB 2352 are highly indeterminate, though likely to exceed \$14 million per fiscal year.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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: 2352 HB	Title: College athletes	Agency: 365-Washington State University
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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
Account					
General Fund-State 001-1	0	18,000	18,000	18,000	18,000
Total \$	0	18,000	18,000	18,000	18,000

In addition to the estimates above, there are additional indeterminate costs 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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Brittney Gamez	Phone: 509-335-5406	Date: 01/30/2024
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/30/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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.

HB 2352 creates the college athlete protection act.

Section 2 requires institutions of higher education to establish degree completion funds for athletes who receive athletic grants. Degree completion funds may be awarded up to a maximum of \$25,000 to each college athlete.

Section 9 requires that on or before January 15, 2025, and annually thereafter, each institution of higher education with an intercollegiate sports team that participated in a national collegiate athletic association Division I sport on or after January 1, 2023, shall pay an annual fee to the student achievement council to cover the reasonable regulatory costs of the program.

Section 10 requires that each institution of higher education with an intercollegiate sports team that participated in a national collegiate athletic association Division I sport on or after January 1, 2023, to administer a standalone financial and life skills development workshop program that each college athlete at the institution must attend during the college athlete's first and third year of participation in an athletics program at the institution.

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.

Section 2 costs are based on an assumed \$25,000 award amount for each student athlete, for approximately 310 scholarship student athletes at WSU, therefore total estimated costs could be \$7,750,000. Actual award costs would vary based on award amount.

Costs associated with Section 9 cannot be estimated at this time due to great uncertainties surrounding WSU anticipated revenues as a result of Pac-12 Conference member defections. This includes uncertainties around media rights, sponsorships and the like. As a result, costs are indeterminate.

Section 10 would require an estimated \$10,000 annually for programming and materials for standalone financial skills training.

The Office of Attorney General estimates \$18,000 for FY25, and \$9,000 annually thereafter in legal services.

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	18,000	18,000	18,000	18,000
Total \$			0	18,000	18,000	18,000	18,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts		18,000	18,000	18,000	18,000
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-					
Total \$	0	18,000	18,000	18,000	18,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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: 2352 HB	Title: College athletes	Agency: 370-Eastern Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 01/22/2024
Agency Approval: Tammy Felicijan	Phone: (509) 359-7364	Date: 01/22/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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.

HB 2352 creates the College Athlete Protection Act with the intent of compensating student athletes, improving medical coverage for student athletes, and providing athletic grants to student athletes regardless of injury or poor performance. High level summary of the bill is as follows:

- Section 2 requires institutions of higher education to establish a degree completion fund for athletes receiving athletic grants. College athletes on the same team during the same academic year must be designated an equal payment from the fund, up to a maximum of \$25,000. Payments must be made in an amount based on the institutions reported revenue in the previous academic year. Subsections further define the scope, terms, and calculation methods for payments.
- Section 3 requires institutions of higher education to distribute a notice to each college athlete containing Title IX rights, a notice stating all students' right to report a sexual assault without retaliation, rights pursuant to the Clery Act, rights under the new chapter RCW, and any additional rights Washington affords to college athletes. This notice must also be conspicuously posted on campus, including within the athletic training facilities.
- Section 4 establishes the Washington College Athlete Protection Program as well as a panel to administer the program
- Section 5 requires institutions of higher education reporting over \$20M annual athletic revenue to the US Department of Education to be financially responsible for out-of-pocket sports related medical expenses for each college athlete, including for the two year period beginning on the date the athlete becomes a former athlete. Institutions of higher education reporting over \$50M annual revenue to the US Department of Education additionally provide nationally portable primary medical insurance to college athletes at the cost of the institution, as well as pay out-of-pocket sports-related medical expenses for an extended 4 year period after the athlete becomes a former college athlete. Subsections further define the scope and terms of these requirements.
- Section 6 requires that institutions of higher education with Division I athletic programs that provide college athletes with an athletic grant must continue to provide a grant for each subsequent year for up to 6 years of college attendance or until the athlete receives a baccalaureate degree from the institution, regardless of the athlete's lack of participation due to injury or poor performance. The amount of the grant in each subsequent award year must be at least equivalent to the amount provided in the previous year, plus the amount of any increase in the cost of attendance. Subsections further define the scope and terms of these requirements.
- Section 7 requires that institutions of higher education conducting college athlete recruiting activities in the state to submit to the panel information relating to the institutions policies on NIL agreements. Further subsections define the information to be provided, as well as the scope with which an institution is allowed to use documents created by the panel.
- Section 8 provides for a process of administration for the panel to certify individuals and entities providing intercollegiate athletics agent, marketing, and financial services to college athletes.
- Section 9 requires that on or before January 15, 2025 and annually thereafter, institutions of higher education with Division I athletic programs must pay an annual fee to the student achievement council. The amount of the fee is calculated as a percent of athletics revenue, detailed in the subsections to section 9.
- Section 10 requires that institutions of higher education with Division I athletic programs must administer a financial and life skills development workshop for college athletes during the athlete's first and third year of participation in an athletics program.

- Section 12 provides that a institution of higher education or its employees, coaches, or affiliated medical personnel may not retaliate against a college athlete filing a complaint or reporting a violation under this act.

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.

- At the NCAA FCS level (which is the level that Eastern Washington University participates in), most schools self-generate roughly 25 percent of the department’s revenue including Eastern Washington University. No FCS school athletic departments are self-supported. The student-athlete’s aid and experience is already being funded by the institution itself... not by the money that the department makes through ticket sales, game payments, etc.

- Basing calculations for Fair Market Value Compensation off of reported revenues through the Equity in Athletics Disclosure Act (EADA) is not an accurate depiction of the revenues that truly come back to athletics. Of the \$19.2M in reported generated revenue on the EADA, only \$5.1M of the reported revenue was generated by the athletics department at Eastern Washington University. In this climate of declining enrollment (a nationwide AND state of Washington issue) in higher education, providing any additional funding for these programs would be costly.

- The degree completion fund (if based off of EADA revenues) would cost Eastern Washington University an estimated \$3M and \$5M annually at the low end. It is indeterminate as to the actual costs moving forward, depending on growth of the program.

- o On the bill, the degree completion fund states up to a maximum of \$25,000 can be given to each student-athlete. While student-athletes are not considered “employees” in this bill, one thing that is unclear is how these payments would affect federal cost of attendance limits.

- If the Student Achievement Council Fee were to be formed, Eastern Washington (using FY23 EADA data) would incur a fee of approximately \$1,920. Assuming that the cost of running athletics would increase to \$20M in 2-3 years, the cost of the Student Achievement Council Fee would increase to \$20,000 based on the financial model provided. Again, these costs would not be covered by the athletics department generated revenue, but rather by revenue generated by the institution.

- Several of the propositions as part of the bill package are already being done by the institution or are in the process of being reviewed and implemented by the NCAA (medical insurance, life skills, etc.). It would be best to follow NCAA and their guidance on navigating these challenges and opportunities.

- o Additionally, a review of the NCAA FCS subdivision is undergoing. The FCS mission/philosophy is to operate as an integral part of a social sector enterprise (not as a business) - our programs are an integrated part of the higher education system and are driven by (and funded by) the broader university mission, including academics and athletics achievement.

- If the funding/coverage for insurance isn’t provided by the NCAA, we anticipate that we would have an increase of potentially estimated \$125k or greater that again, would have to be absorbed by the institution.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

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

III. B - Expenditures by Object Or Purpose

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

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: 2352 HB	Title: College athletes	Agency: 375-Central Washington University
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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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Alexa Orcutt	Phone: 5099632955	Date: 01/22/2024
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 01/22/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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: Defines: (1) "Affiliated medical personnel" (2) "Aggregate athletic grants" (3) "All revenue" (4) "Athletic association" (5) "Athletic grant" (6) "Athletic program" (7) "College athlete" (8) "Fair market value compensation" (9) "Fund" (10) "Institution of higher education" (11) "Institutional funds" (12) "Intercollegiate athlete" (13) "Office for civil rights" (14) "Panel" (15) "Program" (16) "Revenue" (17) "Title IX"

Sections 2,4-6, 8-10, and 13-21: Focuses on public four-year IHE's offering Division I sports programs. Establishes the Washington college athlete protection program and development of the panel. Notes IHE's responsibilities for college athletes, such as sports-related medical costs, athletic grants, and name, image, likeness (NIL).

As well as the annual fee an IHE will need to pay to the Student Achievement Council (WSAC), and who controls those collected funds.

Section 3: New: An IHE will distribute a notice to each college athlete at the institution. This section details what the notice should entail.

Section 7: New: An IHE or an out-of-state college or university conducting college athlete recruiting activities in the state will submit information as determined by the panel or, if established and maintained, the recruiting transparency subpanel. An IHE can only use a document created by the panel/transparency panel to offer an athletic grant or intercollegiate athletics participation opportunity to a prospective college athlete. This section doesn't prohibit an IHE or out-of-state college/university that is subject to this section from providing protections/benefits that exceed those required.

Section 11: New: An IHE may not uphold any rule/requirement/standard or limitation that prevents a college athlete at the institution from fully participating in intercollegiate athletics for any of the following: (1) Receiving food, shelter, medical expenses or medical/disability insurance from any source; (2) Receiving payment to cover expenses, direct provisions or in-kind benefits from any source for transportation, room, board, etc.; (3) A college athlete's family member/friend receiving payment or in-kind benefits for transportation, room board, and incidentals to reasonably support the athlete during which the college athlete is addressing a physical or mental health concern.

Section 12: New: (1) An IHE and its employees, coaches, and affiliated medical personnel can't retaliate against a college athlete for filing a complaint or reporting a violation. (2) Describes "retaliation".

Section 22: New: (1) Section 19 of this act expires July 1, 2024; (2) Section 20 of this act expires July 1, 2030.

Section 23: New: (1) Section 20 of this act takes effect July 1, 2024; (2) Section 21 of this act takes effect July 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.

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 intent of this legislation appears to be focused on public four-year universities that participate in Division I sports. As a Division II participant, there will be minimal impacts on Central Washington University (CWU) to comply with the proposed

bill.

Annually CWU would need to review and update information on: Title IX and sexual misconduct reporting and its delivery to student-athletes; name, image, likeness (NIL) policies and limitations; transparency panel documents provided to prospective student-athletes to communicate offers of athletics grant-in-aid.

Therefore, the additional monitoring and facilitation of the items above would require an average of .05 FTE/year of an existing Associate Athletic Director of Compliance and Student Athlete Services costing an estimated \$5,187/year.

Associate AD salary: (\$78,000 salary*.05 FTE= \$3,900) = \$3,900

Benefits at 33%: (\$3,900*.33= \$1,287) = \$1,287

The effort these staffing costs represent are able to be absorbed within existing university resources.

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: 2352 HB	Title: College athletes	Agency: 376-The Evergreen State College
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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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 01/22/2024
Agency Approval: Lisa Dawn-Fisher	Phone: 564-233-1577	Date: 01/22/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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.

HB 2352 relates to the creation of the college athlete protection act.

Section 2 creates the degree completion fund for college athletes who receive athletic grants.

Section 2(15) states that section 2 only applies to an institution of higher education that participated in a Division I sport on or after January 1, 2023.

Section 3(1) states that an institution of higher education shall distribute a notice to each student athlete containing the following information:

Section 3(1)(a) a college athlete's rights pursuant to Title IX;

Section 3(1)(b) a notice stating that all students have the right to report a sexual assault, without retaliation, to law enforcement, the Department of Justice, the Department of Education's Civil Rights Office, the college's mandated reporters, the college Title IX Office, and the program director;

Section 3(1)(c) a college athlete's right pursuant to the Clery Act;

Section 3(1)(d) a college athlete's rights under this chapter;

Section 3(1)(e) any additional rights Washington provides for its college athletes.

Section 3(2) states that the notice identified in section 3(1) above should contain enough information to enable a college athlete to file a complaint for a violation of any of the rights identified in the notice. This should include, but is not limited to

Section 3(2)(a) the telephone number of the Civil Rights Office, and the telephone number for the Office for Civil Rights Regional Enforcement officer;

Section 3(2)(b) the internet address used for making Civil Rights and Title IX complaints;

Section 3(2)(c) the internet address used by the Department of Education for filing complaints about violations of the Clery Act;

Section 3(2)(d) a list of the job classifications employed by the college that are deemed mandatory reporters, and the obligations of those employees;

Section 3(2)(e) the telephone number and internet address of the program;

Section 3(2)(f) the telephone number of the United States Department of Justice.

Section 3(3) states that the notice listed above will be posted in conspicuous locations frequented by college athletes.

Section 3(4) states that a copy of the above notice will be distributed to the college athletes at the beginning of every academic year.

Section 5 states that an institution that reports \$20,000,000 or more in athletic revenue is financially responsible for the

out-of-pocket medical expenses of each college athlete.

Section 6(1) states that an institution that provides a college athlete with an athletic grant shall provide an athletic grant for the student for each subsequent year in which the student is enrolled at the institution.

Section 6(3) states that subsection 1 only applies to institutions that participated in an NCAA Division I sport on or after January 1, 2023.

Section 7(1)(a) states that any college recruiting athletes in the state shall submit the following information to the recruiting transparency subpanel:

Section 7(1)(a)(i) a complete list of companies and industries that the student athlete is not permitted to enter into agreements with;

Section 7(1)(a) (ii) whether an institution may influence the athlete's choice of representation;

Section 7(1)(a)(iii) whether an institution may limit an athlete's representation to name, image and likeness activities;

Section 7(1)(a)(iv) whether the institution receives any payment or benefit from an individual or entity in exchange for granting access to their athletes for any name, image or likeness purposes.

Section 7(2) states that the college may only use a form established by the panel (or sub-panel) to offer an athletic grant opportunity to a prospective student athlete. The form must include:

Section 7(2)(a) the amount of grants to be offered to the student athlete;

Section 7(2)(b) the total amount of possible annual education related compensation allowable under NCAA vs. Alston and the total amount to be offered to the athlete throughout their eligibility;

Section 7(2)(c) the amount of the athletic grant, if any, to be provided to the student to assist with undergraduate and graduate education completion following the end of the student's athletic eligibility period;

Section 7(2)(d) the percentage of comprehensive medical coverage which will be paid for during the period of athletic eligibility;

Section 7(2)(e) the percentage of out of pocket sports related medical expenses that will be paid for by the institution, both during the athletic eligibility period and after the eligibility period has ended;

Section 7(2)(f) whether the institution will pay for a disability insurance policy in order to cover any future loss of earnings due to a sports-related injury or medical condition, and any limits to that policy's benefits or coverage;

Section 7(2)(g) a list of colleges and universities that the institution will not allow the student athlete to transfer to;

Section 7(2)(h) the information described in subsection 1 of this chapter.

Section 9 states that any institution that participated in an NCAA Division I sport on or after January 1, 2023, shall pay an annual fee to WSAC to cover the regulatory costs of the program.

Section 10(1) states that each institution that participated in an NCAA Division I sport on or after January 1, 2023 shall administer a standalone financial and life skills development workshop for student athletes.

Section 11 states that an institution may not uphold any rule, requirement, standard or other limitation that prevents a student athlete from fully participating in intercollegiate athletics for any of the following:

Section 11(1) for receiving food, shelter, or medical expense, or medical or disability insurance from any source;

Section 11(2) for receiving payment to cover expenses, direct provisions, or in-kind benefits from any source for transportation, room, board and incidentals at college, or for purposes of meeting with legislators, providing testimony, or meeting with government agencies regarding collegiate athletics;

Section 11(3) for a college athlete's family member or friend receiving payment, direct provisions, or in-kind benefits from any source for transportation, room, board, and incidentals to reasonably support a college athlete who is addressing a physical or mental health concern.

Section 12(1) states that an institution and its employees may not retaliate against a student athlete for filing a complaint or reporting a violation of rights provided under this act.

Section 12(2)(a-g) lists the activities identified as retaliation.

Sections 2, 5, 9 and 10 do not apply to athletics at Evergreen because the college does not participate in NCAA Division I sports and does not have \$20,000,000 of revenue from its athletics programs. The remaining sections that do apparently apply to Evergreen include requirements that the college can absorb using existing resources. There is no fiscal impact to the college.

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: 2352 HB	Title: College athletes	Agency: 380-Western Washington University
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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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Gena Mikkelsen	Phone: 3606507412	Date: 01/22/2024
Agency Approval: Anna Hurst	Phone: 360-650-3569	Date: 01/22/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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 3: This section outlines the responsibilities of institutions of higher education regarding the distribution of notices to college athletes. The notice includes information on Title IX rights, reporting sexual assault, rights under federal laws, and additional rights specific to Washington. It specifies the content and format of the notice, including contact information for complaint reporting.

Section 7: Requires institutions conducting college athlete recruiting activities to submit information to the protection panel. This includes details on name, image, and likeness agreements, athlete representation, and any benefits received. The information is made publicly accessible, and institutions must use a standardized document for offering athletic grants, ensuring transparency and disclosure.

Most sections in this bill with major fiscal impacts only pertain to Division I athletics. Western is not in Division I.

The university believes this bill will only have minimal impact on our athletics program, based on the assessment that the proposed legislation, particularly in Sections 3 and 7, would incur only minor costs, estimated to be a few thousand dollars. The fiscal response emphasizes that the requirements related to distributing information and reporting activities are not expected to significantly impact the university's financial resources.

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: 2352 HB	Title: College athletes	Agency: 699-Community and Technica College System
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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
Account					
General Fund-State 001-1	0	3,400	3,400	6,800	6,800
Total \$	0	3,400	3,400	6,800	6,800

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: Saranda Ross	Phone: 360-786-7068	Date: 01/16/2024
Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 01/24/2024
Agency Approval: Stephanie Winner	Phone: 360-704-1023	Date: 01/24/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/13/2024

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 would establish the Washington College Athlete Protection Program in the Washington Student Achievement Council (WSAC) and provide various rights and benefits for student athletes at Institutions of Higher Education.

SECTION 1 – DEFINITIONS

"Institution of Higher Education" means any campus of the University of Washington, Washington State University, Eastern Washington University, or any public four-year institution located in Washington that maintains an athletic program.

"Revenue" means annual intercollegiate athletics revenue as calculated and reported pursuant to the federal equity in athletics disclosure act by an institution of higher education to the United States department of education.

SECTION 9

(1) On or before January 15, 2025, and annually thereafter, each Institution of Higher Education with an intercollegiate sports team that participated in a national collegiate athletic association Division I sport on or after January 1, 2023, shall pay an annual fee to WSAC, in an amount determined by the Washington College Athlete Protection Panel pursuant to subsection (2) of this section, to cover the reasonable regulatory costs of the Program.

(2) Two-year Institutions of Higher Education shall each pay an annual fee to WSAC of up to \$100.

The annual fees must be deposited in the Washington College Athlete Protection Fund.

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.

No cash receipts impact.

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.

This bill would require two-year Institutions of Higher Education to pay a \$100 annual fee to WSAC to help cover administrative costs of the Program. Since the bill states all two-year Institutions of Higher Education are to pay the fee, it is assumed even colleges with no athletic program would pay the fee.

\$100 X 34 = \$3,400 FY25 onward

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	3,400	3,400	6,800	6,800
Total \$			0	3,400	3,400	6,800	6,800

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services		3,400	3,400	6,800	6,800
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-					
Total \$	0	3,400	3,400	6,800	6,800

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.



Multiple Agency Ten-Year Analysis Summary

Bill Number	Title
2352 HB	College athletes

This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

Estimated Cash Receipts

Office of State Treasurer	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
Student Achievement Council Indeterminate Impact	0	0	0	0	0	0	0	0	0	0	0	0
University of Washington	0	0	0	0	0	0	0	0	0	0	0	0
Washington State University	0	0	0	0	0	0	0	0	0	0	0	0
Eastern Washington University	0	0	0	0	0	0	0	0	0	0	0	0
Central Washington University	0	0	0	0	0	0	0	0	0	0	0	0
The Evergreen State College	0	0	0	0	0	0	0	0	0	0	0	0
Western Washington University	0	0	0	0	0	0	0	0	0	0	0	0
Community and Technical College System	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 090 Office of State Treasurer
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
---------------------------	------------------	--	--	--	--	--	--	--	--	--	--	--	--

Agency Preparation: Mandy Kaplan	Phone: (360) 902-8977	Date: 2/1/2024 11:46:11 pm
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 2/1/2024 11:46:11 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 100 Office of Attorney General
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
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Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 1/22/2024 7:21:44 pm
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 1/22/2024 7:21:44 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 340 Student Achievement Council
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Estimated Cash Receipts

Name of Tax or Fee	Acct Code											
Total												

Biennial Totals

Narrative Explanation (Required for Indeterminate Cash Receipts)

The bill requires WSAC to collect fees from institutions subject to the Washington college athlete protection program (Section 9). Fees are based on each institution's total athletics revenue and would be deposited into the newly created Washington College Athlete Protection Fund.

The athletics revenue of these institutions and the resulting fee revenue generated from it is indeterminate given the recent athletic conference realignment and uncertain regarding future revenues from media contracts and other sources. Based on 2022 revenue data, the total annual fees collected would have been approximately \$2,792, with the University of Washington and Washington State University contributing \$2,785,900 of this total fee amount.

Agency Preparation: Sam Loftin	Phone: 360-753-7866	Date: 1/30/2024 2:08:52 pm
Agency Approval: Brian Richardson	Phone: 360-485-1124	Date: 1/30/2024 2:08:52 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 360 University of Washington
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
---------------------------	------------------	--	--	--	--	--	--	--	--	--	--	--	--

Agency Preparation: Michael Lantz	Phone: 2065437466	Date: 1/30/2024 1:58:41 pm
Agency Approval: Jed Bradley	Phone: 2066164684	Date: 1/30/2024 1:58:41 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 365 Washington State University
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Name of Tax or Fee	Acct Code											

Agency Preparation: Brittney Gamez	Phone: 509-335-5406	Date: 1/30/2024 5:20:01 pm
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 1/30/2024 5:20:01 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 370 Eastern Washington University
-------------------------------	----------------------------------	--

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
---------------------------	------------------	--	--	--	--	--	--	--	--	--	--	--	--

Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 1/22/2024 4:50:29 pm
Agency Approval: Tammy Felicijan	Phone: (509) 359-7364	Date: 1/22/2024 4:50:29 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 375 Central Washington University
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
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Agency Preparation: Alexa Orcutt	Phone: 5099632955	Date: 1/22/2024 5:54:05 pm
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 1/22/2024 5:54:05 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 376 The Evergreen State College
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts **Partially Indeterminate Cash Receipts** **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code												
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Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 1/22/2024 12:56:20 pm
Agency Approval: Lisa Dawn-Fisher	Phone: 564-233-1577	Date: 1/22/2024 12:56:20 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 380 Western Washington University
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Name of Tax or Fee	Acct Code												
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Agency Preparation: Gena Mikkelsen	Phone: 3606507412	Date: 1/22/2024 12:19:28 pm
Agency Approval: Anna Hurst	Phone: 360-650-3569	Date: 1/22/2024 12:19:28 pm
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 2352 HB	Title College athletes	Agency 699 Community and Technical College System
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Name of Tax or Fee	Acct Code												
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Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 1/24/2024 11:13:44 an
Agency Approval: Stephanie Winner	Phone: 360-704-1023	Date: 1/24/2024 11:13:44 an
OFM Review:	Phone:	Date: