

Multiple Agency Fiscal Note Summary

Bill Number: 6154 S SB	Title: Process service
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	Fiscal note not available					
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	Fiscal note not available											
Office of the Secretary of State	.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	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	Fiscal note not available								
Office of the Secretary of State	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	Fiscal note not available								
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Breakout

NONE

Prepared by: Gaius Horton, OFM	Phone: (360) 819-3112	Date Published: Preliminary 2/19/2024
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Individual State Agency Fiscal Note

Bill Number: 6154 S SB	Title: Process service	Agency: 085-Office of the Secretary of State
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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: Ryan Giannini	Phone: 3607867285	Date: 02/12/2024
Agency Preparation: Bonnie Luntzel	Phone: 360-570-5575	Date: 02/13/2024
Agency Approval: Mike Woods	Phone: (360) 704-5215	Date: 02/13/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	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.

Changes in SSB 6154 compared to the previous version (SB 6154).

This version makes technical changes to the bill that do not impact the Office of the Secretary of State (OSOS).

Summary of SSB 6154.

The bill clarifies how parties to a lawsuit serve a business entity through OSOS.

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.

This bill does not impact OSOS revenue or expenses. It does not change our existing Service of Process program, but only clarifies how parties to a lawsuit serve a business entity through OSOS.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 6154 S SB

Title: Process service

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

Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

None

Part III: Preparation and Approval

Fiscal Note Analyst: James Vogl	Phone: 360-480-9429	Date: 02/19/2024
Leg. Committee Contact: Ryan Giannini	Phone: 3607867285	Date: 02/12/2024
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/19/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 02/19/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

This fiscal note analyzes the local government impact of SSB 6154, comparing it to the impact of SB 6154.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

The proposed substitute bill would make various changes to section 4, adding further descriptions of the existing requirements regarding the circumstances under which a nonresident or resident appoints the Washington Secretary of State as their true and lawful attorney for the purposes of summons or process service related to an accident, collision or liability on public highways. The changes in this section would also add further descriptions of the requirements for such summons or process service.

These changes would not affect the local government expenditure or revenue impacts below.

SUMMARY OF CURRENT BILL:

Section 1 of the proposed legislation would amend RCW 4.28.080, replacing the existing process service requirements of RCW 4.28.080 (8) through (10) with the requirement that if against a represented entity as defined by RCW 23.95.400, service of process, notice, or demand required or permitted by law to be served on the corporation may be made in accordance with RCW 23.95.450.

Section 2 would repeal RCW 4.28.090, Laws of 1985, Chapter 469, Section 1, and Laws of 1893, Chapter 127, Section 8.

Section 3 would amend RCW 4.28.100, specifying that RCW 4.28.100 (1) applies when a defendant is a nonregistered foreign entity as defined by RCW 23.95.105, and has property within the state.

Section 4 would amend RCW 46.64.040, making various technical amendments intended to clarify the existing requirements of this section, which concern the circumstances under which a nonresident or resident appoints the Washington Secretary of State as their true and lawful attorney for the purposes of summons or process service related to an accident, collision or liability on public highways, and the procedure for making such service.

The amendments in this section would also add language accounting for plaintiffs representing themselves in actions under this section, and would specify that the Secretary of State would be required to send service to a defendant within eight business days of receiving copies of such service from a plaintiff per the requirements of RCW 46.64.040.

B. SUMMARY OF EXPENDITURE IMPACTS

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

The proposed legislation would have no impact on local government expenditures.

The provisions of the bill concern civil process service, bringing certain requirements of chapter 4.28 RCW in line with existing requirements of the Uniform Business Organization Code, clarifying existing civil process service procedures involving nonresident motorists and introducing a time requirement for the Office of the Secretary of State to send copies of process service per the requirements of RCW 46.64.040. These changes would not affect the existing expenditures of local government entities.

C. SUMMARY OF REVENUE IMPACTS

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

The proposed legislation would have no impact on local government revenues.

SOURCES:
Senate bill report for SSB 6154, 2024