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HOUSE BILL 1855

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Grant, Mielke, Morris, Mastin, Radcliff, Casada, Kessler, Kremen and Basich

Read first time 02/13/95. Referred to Committee on Government Operations.

1 AN ACT Relating to regulatory impact notes; amending RCW 43.41.110;  
2 and adding a new chapter to Title 43 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.41.110 and 1981 2nd ex.s. c 4 s 13 are each amended  
5 to read as follows:

6 The office of financial management shall:

7 (1) Provide technical assistance to the governor and the  
8 legislature in identifying needs and in planning to meet those needs  
9 through state programs and a plan for expenditures.

10 (2) Perform the comprehensive planning functions and processes  
11 necessary or advisable for state program planning and development,  
12 preparation of the budget, inter-departmental and inter-governmental  
13 coordination and cooperation, and determination of state capital  
14 improvement requirements.

15 (3) Provide assistance and coordination to state agencies and  
16 departments in their preparation of plans and programs.

17 (4) Provide general coordination and review of plans in functional  
18 areas of state government as may be necessary for receipt of federal or  
19 state funds.

1 (5) Participate with other states or subdivisions thereof in  
2 interstate planning.

3 (6) Encourage educational and research programs that further  
4 planning and provide administrative and technical services therefor.

5 (7) Carry out the provisions of RCW 43.62.010 through 43.62.050  
6 relating to the state census.

7 (8) Be the official state participant in the federal-state  
8 cooperative program for local population estimates and as such certify  
9 all city and county special censuses to be considered in the allocation  
10 of state and federal revenues.

11 (9) Be the official state center for processing and dissemination  
12 of federal decennial or quinquennial census data in cooperation with  
13 other state agencies.

14 (10) Be the official state agency certifying annexations,  
15 incorporations, or disincorporations to the United States bureau of the  
16 census.

17 (11) Review all United States bureau of the census population  
18 estimates used for federal revenue sharing purposes and provide a  
19 liaison for local governments with the United States bureau of the  
20 census in adjusting or correcting revenue sharing population estimates.

21 (12) Provide fiscal notes depicting the expected fiscal impact of  
22 proposed legislation in accordance with chapter 43.88A RCW.

23 (13) Provide regulatory impact notes depicting the expected  
24 regulatory impact of proposed legislation on businesses in accordance  
25 with sections 2 through 6 of this act.

26 (14) Be the official state agency to estimate and manage the cash  
27 flow of all public funds as provided in chapter 43.88 RCW. To this  
28 end, the office shall adopt such rules as are necessary to manage the  
29 cash flow of public funds.

30 NEW SECTION. **Sec. 2.** The legislature hereby recognizes the  
31 necessity of developing a uniform and coordinated procedure for  
32 determining the expected regulatory impact of bills and resolutions on  
33 businesses. The legislature also recognizes that developing the  
34 statements of regulatory impact, which shall be known as regulatory  
35 impact notes, requires the designation of a state agency to be  
36 principally responsible for the notes.

1        NEW SECTION.    **Sec. 3.**    (1) The office of financial management  
2 shall, in cooperation with appropriate legislative committees and  
3 legislative staff, establish a procedure to provide regulatory impact  
4 notes on the expected impact of bills and resolutions that increase or  
5 decrease regulations on the operation of businesses subject to the  
6 state's business and occupation taxes levied in chapter 82.04 RCW.

7        (2) A regulatory impact note shall be prepared on the basis of a  
8 sample of businesses that are regulated by the bill or resolution. The  
9 regulatory impact note shall contain an estimate of the fiscal impact  
10 to the affected businesses for the biennium in which the bill or  
11 resolution will take effect as well as a cumulative forecast of the  
12 fiscal impact for the succeeding two fiscal years. If it is determined  
13 that no dollar estimate is possible, the regulatory impact note shall  
14 contain a statement to that effect.

15        (3) In establishing the regulatory impact procedure called for  
16 under this chapter, the office of financial management shall coordinate  
17 the development of regulatory impact notes with all state agencies  
18 affected.

19        NEW SECTION.    **Sec. 4.**    (1) After a regulatory impact note that  
20 depicts the expected regulatory impact of a bill or resolution is  
21 prepared and approved as to form, accuracy, and completeness by the  
22 office of financial management, copies shall be filed immediately with:

23        (a) The chair of the committee to which the bill or resolution was  
24 referred upon introduction in the house of origin;

25        (b) The senate committee on ways and means, or its successor; and

26        (c) The house of representatives committees on revenue and  
27 appropriations, or their successors.

28        (2) Whenever possible, the regulatory impact note shall be provided  
29 before or at the time the bill or resolution is first heard by the  
30 committee of reference in the house of origin.

31        (3) If a regulatory impact note has been prepared for a bill or  
32 resolution, a copy of the regulatory impact note shall be placed in the  
33 bill books or otherwise attached to the bill or resolution and shall  
34 remain with the bill or resolution throughout the legislative process  
35 insofar as possible.

36        NEW SECTION.    **Sec. 5.**    If requested by a legislator, the office of  
37 financial management shall also provide a regulatory impact note on a

1 legislative proposal. The regulatory impact note shall be returned to  
2 the requesting legislator, and copies shall be filed with the  
3 appropriate legislative committees under section 4 of this act at the  
4 time the proposed legislation is introduced in either house.

5 NEW SECTION. **Sec. 6.** Nothing in this chapter prevents either  
6 house of the legislature from acting on a bill or resolution before it  
7 as otherwise provided by the state Constitution, by law, and by the  
8 rules and joint rules of the senate and house of representatives, nor  
9 shall the lack of a regulatory impact note as provided in this chapter  
10 or an error in the accuracy of the note affect the validity of a  
11 measure otherwise duly passed by the legislature.

12 NEW SECTION. **Sec. 7.** Sections 2 through 6 of this act shall  
13 constitute a new chapter in Title 43 RCW.

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