Multiple Agency Fiscal Note Summary

Bill Number: 5328 SB	**Title:** Earned wage access services

Estimated Cash Receipts

Agency Name	2025-27			2027-29			2029-31		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Financial Institutions	0	0	246,300	0	0	818,400	0	0	818,400
Total $	**0**	**0**	**246,300**	**0**	**0**	**818,400**	**0**	**0**	**818,400**

Agency Name	2025-27		2027-29		2029-31	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
Loc School dist-SPI						
Local Gov. Other						
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Financial Institutions	1.4	0	0	425,263	2.5	0	0	773,826	2.5	0	0	853,102
Washington State Patrol	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Labor and Industries	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total $	**1.4**	**0**	**0**	**425,263**	**2.5**	**0**	**0**	**773,826**	**2.5**	**0**	**0**	**853,102**

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2025-27			2027-29			2029-31		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Department of Financial Institutions	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Total $	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
Loc School dist-SPI									
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Megan Tudor, OFM	**Phone:** (360) 890-1722	**Date Published:** Final 1/31/2025

FNPID 72123

FNS029 Multi Agency rollup

Judicial Impact Fiscal Note

Bill Number: 5328 SB	Title: Earned wage access services	Agency: 055-Administrative Office of the Courts

Part I: Estimates

[X] **No Fiscal Impact**

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

[ ] If fiscal impact is greater than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note fo Parts I-V.

[ ] If fiscal impact is less than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

[ ] Capital budget impact, complete Part IV.

Legislative Contact	Clinton McCarthy	Phone: 360-786-7319	Date: 01/17/2025
Agency Preparation:	Devon Dieckman	Phone: 3607044020	Date: 01/30/2025
Agency Approval:	Chris Stanley	Phone: 360-357-2406	Date: 01/30/2025
OFM Review:	Gaius Horton	Phone: (360) 819-3112	Date: 01/31/2025

Part II: Narrative Explanation

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

Establishes Washington State Earned Wage Access Services Act as a new chapter in Title 31 RCW. Beginning 07/01/2026 this will require certain payday lenders to be licensed by the Department of Financial Institutions (DFI). Along with this it establishes licensing procedures and requirements, the specific duties of those involved and prohibited acts, and provides the DFI regulation, investigations and enforcement of these requirements. This bill authorizes the DFI to apply to superior court for ex parte orders pre-authorizing/approving subpoenas, specifies venues and content of applications, requires granting if the application sufficient, and makes applications subject to RCW 36.18.012(3). Finally, it authorizes DFI actions in Superior Court to enforce and enjoin violations and mandates injunctive relief be granted "upon proper showing" (Section 16(3)), classifies violations with no prescribed penalty as gross misdemeanors (Section 17(1)), and makes certain proceedings subject to Administrative Procedures Act (Section 19)

Section 13 establishes the procedure for seeking order pre-authorizing/approving subpoenas. This will increase court filings to the extent that this procedure is used.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No or minimal fiscal impact to the Administrative Office of the Courts.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

None

Individual State Agency Fiscal Note

Bill Number: 5328 SB	Title: Earned wage access services	Agency: 102-Department of Financial Institutions

Part I: Estimates

☐ **No Fiscal Impact**

Estimated Cash Receipts to:

ACCOUNT	FY 2026	FY 2027	2025-27	2027-29	2029-31
Financial Services Regulation Account-Non-Appropriated 300-6	42,000	204,300	246,300	818,400	818,400
Total $	42,000	204,300	246,300	818,400	818,400

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	0.2	2.5	1.4	2.5	2.5
Account					
Financial Services Regulation Account-Non-Appropriated 300-6	57,748	367,515	425,263	773,826	853,102
Total $	57,748	367,515	425,263	773,826	853,102

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:	Clinton McCarthy	Phone: 360-786-7319	Date: 01/17/2025
Agency Preparation:	Cale Zimmerman	Phone: (360) 902-0507	Date: 01/21/2025
Agency Approval:	Emily Fitzgerald	Phone: (360) 902-8780	Date: 01/21/2025
OFM Review:	Megan Tudor	Phone: (360) 890-1722	Date: 01/21/2025

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 creates a new chapter titled the Earned Wage Access Services Act, which creates and establishes a new program in the Department of Financial Institutions (DFI) to regulate earned wage access products and services. Earned wage access (EWA) products allow employees to receive advance proceeds based on a consumer's earned but unpaid income. The bill states that any person offering EWA services must be licensed beginning July 1, 2026. Sections 3-5 set forth the general licensing application requirements and process. Section 9 states business practices that licensees must comply with, including certain disclosure requirements. Section 10 adds a fee limit of up to $7 for any fee for delivery or expedited delivery of an EWA services transaction. Licensees are also subject to DFI's examination and enforcement authority; which are similar to the requirements set forth in the Consumer Loan Act, chapter 31.04 RCW.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

DFI estimates that approximately 28 companies will be subject to licensing under the proposed legislation. The fees anticipated in the bill will be set by rule and DFI will set appropriate fee structures to cover costs.

DFI expects to set the initial licensing fee for Earned Wage Access service providers at $1,500. The agency expects to collect about $42,000 ($1,500 x 28) in initial licensing fees during FY26 from the estimated 28 companies. DFI expects additional companies to start conducting EWA activities and requiring licensure, resulting in collection of about $3,000 ($1,500 x 2) in FY27 and ongoing.

Licensees under the proposed legislation will pay an annual assessment fee based on their volume of business the previous year. The first annual assessment fees will be due in FY27 for business conducted in calendar year 2026. DFI estimates the following revenue under the assumption that licensees will handle an average of $22,250,000 a year in funds. In a report published July 18, 2024, the Consumer Financial Protection Bureau estimates that the number of earned wage access transactions grew by over 90% from 2021 to 2022, with more than 7 million workers accessing approximately $22 billion in 2022. DFI expects to collect $186,900 during FY27 (assessment would cover activity from July-December 2026) and $373,800 during FY28 and ongoing.

In addition, each licensee under the proposed legislation is subject to examination. Examinations are billed hourly and billable exam costs are expected to be $14,400 in FY27 and $32,400 in FY28 and beyond.

For purposes of this fiscal note, investigative fees are not included as they are indeterminate.

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.

One-time expenditures:
The proposed legislation creates a new license type. DFI will need to revise existing computer applications. IT contract costs are estimated to be $29,500 in FY26.

Ongoing expenditures:
DFI will collect financial, criminal background information, and other identifying information for review of suitability for licensure.

DFI will have authority to examine and investigate each licensee.

DFI will receive, investigate, and resolve complaints.

DFI will have enforcement authority.

The costs of conducting these activities are represented by the FTE estimates below:
Program FTEs in FY26 and beyond:

FTE	Position	Functional Unit
0.2	Management Analyst 5	Licensing

0.2 Total Program FTEs

Program FTEs in FY27 and beyond:

FTE	Position	Functional Unit
0.1	Management Analyst 4	Exams
1.0	Financial Examiner 3	Exams
0.5	Financial Examiner 4	Exams
0.2	Financial Legal Examiner 3	Enforcement
0.2	Financial Legal Examiner Supv.	Enforcement

2.0 Total Program FTEs

Administrative overhead is calculated at 15% of program FTEs using a Management Analyst 5 as a representative position, which comes to an additional 0.3 FTEs and $42,121 starting in FY 27. Expenditure growth is projected at 5% per year to account for standard salary progression.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
300-6	Financial Services Regulation Account	Non-Appropriated	57,748	367,515	425,263	773,826	853,102
		Total $	57,748	367,515	425,263	773,826	853,102

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	0.2	2.5	1.4	2.5	2.5
A-Salaries and Wages	18,978	243,889	262,867	524,971	578,781
B-Employee Benefits	5,831	82,244	88,075	177,031	195,176
C-Professional Service Contracts	29,500		29,500		
E-Goods and Other Services	2,639	33,182	35,821	71,424	78,745
G-Travel		200	200	400	400
J-Capital Outlays	800	8,000	8,800		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total $	57,748	367,515	425,263	773,826	853,102

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 2026	FY 2027	2025-27	2027-29	2029-31
Financial Examiner 3	86,712		1.0	0.5	1.0	1.0
Financial Examiner 4	95,652		0.5	0.3	0.5	0.5
Financial Legal Examiner 3	91,068		0.2	0.1	0.2	0.2
Financial Legal Examiner Supervisor	141,599		0.2	0.1	0.2	0.2
Management Analyst 4	74,724		0.1	0.1	0.1	0.1
Management Analyst 5	82,512	0.2	0.5	0.4	0.5	0.5
Total FTEs		0.2	2.5	1.4	2.5	2.5

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.

The proposed legislation grants DFI the authority to adopt rules as necessary to implement the provisions of the bill. Based on the proposed legislation, DFI will need to draft a new WAC chapter. Rulemaking costs will be absorbed.

Individual State Agency Fiscal Note

Bill Number: 5328 SB	Title: Earned wage access services	Agency: 225-Washington State Patrol

Part I: Estimates

[X] **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:	Clinton McCarthy	Phone: 360-786-7319	Date: 01/17/2025
Agency Preparation:	Lindsey Ulrich	Phone: 360-596-4072	Date: 01/17/2025
Agency Approval:	Mario Buono	Phone: (360) 596-4046	Date: 01/17/2025
OFM Review:	Maria Thomas	Phone: (360) 229-4717	Date: 01/17/2025

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.

The proposed legislation does not have a fiscal impact to the Washington State Patrol (WSP).

The proposed legislation would establish a new chapter for the licensing and regulation of businesses providing earned wage access services.

New section 4(2)(a)(i) requires applications for licenses to provide identifying information, including fingerprints for submission to WSP or any governmental agency or entity, authorized to receive this information for a state and national criminal history background check.

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.

There is no cash receipt impact to WSP.

The Department of Financial Institutions (DFI) stated they will be processing background checks through a nationwide system; therefore, there is no cash receipt impact to WSP.

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.

There is no fiscal impact to WSP.

DFI stated they will be processing background checks through a nationwide system; therefore, there is no fiscal impact to WSP.

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: 5328 SB	Title: Earned wage access services	Agency: 235-Department of Labor and Industries

Part I: Estimates

[X] **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:	Clinton McCarthy	Phone: 360-786-7319	Date: 01/17/2025
Agency Preparation:	Shana J Snellgrove	Phone: 000-000-0000	Date: 01/17/2025
Agency Approval:	Trent Howard	Phone: 360-902-6698	Date: 01/17/2025
OFM Review:	Courtney Kinney	Phone: 360 584 5705	Date: 01/17/2025

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.

The proposed bill creates a new chapter establishing licensing requirements for businesses that provide advanced payment of earned wages to individuals.

The proposed bill does not have fiscal impact for the Department of Labor and Industries. All licensing and regulatory requirements are under the Department of Financial Institutions. There is no enforcement, other regulatory requirements, or overlap to statutes that L&I oversees.

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.

None.

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.

None.

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.

Multiple Agency Ten-Year Analysis Summary

Bill Number	Title
5328 SB	Earned wage access services

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

Estimated Cash Receipts

	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	Fiscal Year 2034	Fiscal Year 2035	2026-35 TOTAL
Administrative Office of the Courts	0	0	0	0	0	0	0	0	0	0	0
Department of Financial Institutions	42,000	204,300	409,200	409,200	409,200	409,200	409,200	409,200	409,200	409,200	3,519,900
Washington State Patrol	0	0	0	0	0	0	0	0	0	0	0
Department of Labor and Industries	0	0	0	0	0	0	0	0	0	0	0
Total	**42,000**	**204,300**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**3,519,900**

Ten-Year Analysis

Bill Number	Title	Agency
5328 SB	Earned wage access services	055 Administrative Office of the Courts

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

[X] **No Cash Receipts**

[ ] **Partially Indeterminate Cash Receipts**

[ ] **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											

Agency Preparation:	Devon Dieckman	Phone:	3607044020	Date:	1/30/2025 10:10:26 an
Agency Approval:	Chris Stanley	Phone:	360-357-2406	Date:	1/30/2025 10:10:26 an
OFM Review:		Phone:		Date:	

Ten-Year Analysis

Bill Number	Title	Agency
5328 SB	Earned wage access services	102 Department of Financial Institutions

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	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	Fiscal Year 2034	Fiscal Year 2035	2026-35 TOTAL
Earned Wage Access Assessment Fee	300		186,900	373,800	373,800	373,800	373,800	373,800	373,800	373,800	373,800	3,177,300
Earned Wage Access Examination Fee	300		14,400	32,400	32,400	32,400	32,400	32,400	32,400	32,400	32,400	273,600
Earned Wage Access Licensing Fee	300	42,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	69,000
Total		**42,000**	**204,300**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**409,200**	**3,519,900**
Biennial Totals		**246,300**		**818,400**		**818,400**		**818,400**		**818,400**		**3,519,900**

Narrative Explanation (Required for Indeterminate Cash Receipts)

This bill creates a new chapter titled the Earned Wage Access Services Act, which creates and establishes a new program in the Department of Financial Institutions (DF to regulate earned wage access products and services. Earned wage access (EWA) products allow employees to receive advance proceeds based on a consumer's ear but unpaid income. The bill states that any person offering EWA services must be licensed beginning July 1, 2026. Sections 3-5 set forth the general licensing applicatio requirements and process. Section 9 states business practices that licensees must comply with including certain disclosure requirements. Section 7 adds a fee limit of u to $7 for any fee for delivery or expedited delivery of an EWA services transaction. Licensees are also subject to DFI's examination and enforcement authority; which are similar to the requirements set forth in the Consumer Loan Act, chapter 31.04 RCW.

DFI estimates that approximately 28 companies will be subject to licensing under the proposed legislation. The fees anticipated in the bill will be set by rule and DFI will s appropriate fee structures to cover costs.

DFI expects to set the initial licensing fee for Earned Wage Access service providers at $1,500. The agency expects to collect about $42,000 ($1,500 x 28) in initial licens fees during FY26 from the estimated 28 companies. DFI expects additional companies to start conducting EWA activities and requiring licensure, resulting in collection of about $3,000 ($1,500 x 2) in FY27 and ongoing.

Ten-Year Analysis

Bill Number	Title	Agency
5328 SB	Earned wage access services	102 Department of Financial Institutions

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 .

Narrative Explanation (Required for Indeterminate Cash Receipts)

Licensees under the proposed legislation will pay an annual assessment fee based on their volume of business the previous year. The first annual assessment fees will b due in FY27 for business conducted in calendar year 2026. DFI estimates the following revenue under the assumption that licensees will handle an average of $22,250,0 year in funds. In a report published July 18, 2024, the Consumer Financial Protection Bureau estimates that the number of earned wage access transactions grew by ove 90% from 2021 to 2022, with more than 7 million workers accessing approximately $22 billion in 2022. DFI expects to collect $186,900 during FY27 (assessment would cover activity from July-December 2026) and $373,800 during FY28 and ongoing.

In addition, each licensee under the proposed legislation is subject to examination. Examinations are billed hourly and billable exam costs are expected to be $14,400 in FY27 and $32,400 in FY28 and beyond.

For purposes of this fiscal note, investigative fees are not included as they are indeterminate.

Agency Preparation:	Cale Zimmerman	Phone:	(360) 902-0507	Date:	1/21/2025 3:35:19 pm
Agency Approval:	Emily Fitzgerald	Phone:	(360) 902-8780	Date:	1/21/2025 3:35:19 pm
OFM Review:		Phone:		Date:	

Ten-Year Analysis

Bill Number	Title	Agency
5328 SB	Earned wage access services	225 Washington State Patrol

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

[X] **No Cash Receipts**

[ ] **Partially Indeterminate Cash Receipts**

[ ] **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											

Agency Preparation:	Lindsey Ulrich	Phone:	360-596-4072	Date:	1/17/2025 12:05:40 pr
Agency Approval:	Mario Buono	Phone:	(360) 596-4046	Date:	1/17/2025 12:05:40 pr
OFM Review:		Phone:		Date:	

Ten-Year Analysis

Bill Number	Title	Agency
5328 SB	Earned wage access services	235 Department of Labor and Industries

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

[X] **No Cash Receipts**

[ ] **Partially Indeterminate Cash Receipts**

[ ] **Indeterminate Cash Receipts**

Name of Tax or Fee	Acct Code											

Agency Preparation:	Shana J Snellgrove	Phone:	000-000-0000	Date:	1/17/2025 12:42:16 pr
Agency Approval:	Trent Howard	Phone:	360-902-6698	Date:	1/17/2025 12:42:16 pr
OFM Review:		Phone:		Date:	