150th GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 243**
SPONSOR:	**Representative Michael Smith**
DESCRIPTION:	**AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CULTIVATION OF MEDICAL MARIJUANA BY REGISTERED QUALIFYING PATIENTS AND DESIGNATED CAREGIVERS.**

Assumptions:

1. This Act shall take effect following the signature of the Governor.

2. This Act seeks to amend Title 16 of the Delaware Code relating to the cultivation of medical marijuana by registered, qualifying patients and designated caregivers.

3. This Act, known as "The Delaware Patient Right to Grow Act", allows qualifying patients and registered, designated caregivers to grow limited amounts of medical marijuana if approved and in compliance with appropriate requirements outlined by the Department of Health Social Services (DHSS). DHSS is responsible for issuing the approval to cultivate and manufacture marijuana and may conduct random inspections to verify compliance with stated requirements.

4. The Division of Public Health (DPH), referencing a similar study completed in Rhode Island, assumes approximately 930 applications would be submitted for approval for qualifying patients and an additional 195 applications would be submitted for registered, designated caregivers. DPH is also responsible for completing random inspections of a facility used by the noted entities to verify compliance with the requirements to cultivate and manufacture marijuana.

5. Assuming the need to expand support and investigation responsibilities, it is projected that the DPH will need 4.0 FTE positions. Three Investigator II positions will be used to monitor compliance and perform facility inspections. An additional Administrative Specialist II position will be used to support the application approval process and ensure appropriate documentation, including signed affidavit, accompany the application. This Fiscal Note assumes these positions will be funded by the General Fund with the potential to be offset by Appropriated Special Funds as monies are collected from the application process.

6. The estimated State agency cost for the 4.0 FTE staff includes salary, other employment costs (OEC's), administrative and one-time costs.

    a. Salary and OEC's: $234,200
    b. Ongoing costs of $28,900 include Fleet Rental, Space Rental, Network Costs and Supplies
    c. One-time costs for Furniture: $4,000
    d. One-time costs for Capital: $9,200

7. Costs are assumed to increase at a rate of 2% annually.

Cost:

Fiscal Year 2021:	$232,450 (ten months)
Fiscal Year 2022:	$267,780
Fiscal Year 2023:	$272,560

Prepared by Victoria Brennan
Office of the Controller General