151st GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**SENATE BILL NO. 260**
SPONSOR:	**Senator Gay**
DESCRIPTION:	**AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CONSUMER PROTECTION FUND.**

Assumptions:

1. This Act becomes effective upon signature by the Governor.

2. This Act increases the retention limit of funding collected into the revolving Consumer Protection Fund (CPF) from $3,000,000 to $10,000,000. It also expands the use of funding to include actions pertaining to the preparation and investigation of financial fraud by the Fraud and Consumer Protection Division of the Department of Justice (DOJ).

3. The CPF has collected an average of $2,591,742 over the last three fiscal years and $201,419 (as of May 3, 2022) in the current fiscal year (FY 2022).

4. The CPF has had an average of $2,762,550 of expenditures over the last three fiscal years, and the DOJ projects that it will spend $2,600,000 in the current fiscal year (FY 2022). The primary expenditure is for 7.0 FTE Deputy Attorneys General, whose costs totaled $1,731,755 in the previous fiscal year.

5. Over the past three fiscal years, since the remaining funding amount has been under the current retention limit, no funds have been transferred to the General Fund (GF). The primary source of these funds is settlements, which is not a stable source of revenue. It is unknown how much additional revenue beyond the current limit the DOJ will collect for the CPF in future fiscal years. Therefore, the potential revenue loss to the GF by increasing the retention limit is indeterminable.

Cost:

	General Fund Revenue Loss
Fiscal Year 2023:	Indeterminable
Fiscal Year 2024:	Indeterminable
Fiscal Year 2025:	Indeterminable

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