



**151st GENERAL ASSEMBLY
FISCAL NOTE**

BILL: HOUSE BILL NO. 392
SPONSOR: Representative Postles
DESCRIPTION: AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PROCEDURES AND THE REGULATORY FLEXIBILITY ACT.

Assumptions:

1. This Act becomes effective upon signature by the Governor.
2. This Act amends the Administrative Procedures Act to require an Economic Impact Statement be filed along with any Regulatory Impact Statement when establishing or amending a regulation.
3. This Act amends current statutes for the periodic review of current regulations in place. Regulations in place at the time of enactment are to be reviewed within four years. Regulations adopted subsequent to the enactment of this Act are to be reviewed every five years.
4. The following agencies have identified estimated costs associated with the compliance with the provisions of this legislation:
 - a. The Department of Natural Resources and Environmental Control anticipates the need for 1.0 FTE Regulatory Specialist III, with 9-months of Personnel Costs assumed in the first year, (including Other Employment Costs), of \$66,549.
 - b. The Department of Labor estimates a one-time cost of \$97,988 for the review of existing regulations, assumed to occur in Fiscal Year 2024.
 - c. The Department of Agriculture estimates a one-time cost of \$26,102 for the review of existing regulations, assumed to occur in Fiscal Year 2023.
5. This Act also requires the Registrar of Regulations to develop a system to provide sufficient notice to the promulgating agency that a regulation is due for the periodic review. The Registrar of Regulations is currently developing a new information system supporting their office's processes and procedures. The current system development does not include the capability to provide this required notice. It is estimated that one-time funding of \$110,000 would be required to build this capability into the current development efforts.

Cost:

	Ongoing	One-Time
Fiscal Year 2023:	\$66,549	\$136,102
Fiscal Year 2024:	\$88,732	\$ 97,988
Fiscal Year 2025:	\$88,732	\$ 0

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Office of the Controller General