



**152nd GENERAL ASSEMBLY
FISCAL NOTE
*REVISED***

BILL: HOUSE BILL NO. 154
SPONSOR: Representative Griffith
DESCRIPTION: AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PERSONAL DATA PRIVACY AND CONSUMER PROTECTION.

Assumptions:

1. This Act, known as the Delaware Personal Data Privacy Act, becomes effective, dependent upon enactment by the Governor, on either January 1, 2025, or January 1, 2026.
2. This Act delineates a consumer's personal data rights and provides that residents of this State will have the right to know what information is being collected about them, see the information, correct any inaccuracies, or request deletion of their personal data that entities or people are maintaining.
3. This Act provides that the Department of Justice (DOJ) has enforcement authority and may investigate and prosecute violations through an enforcement proceeding. Additionally, the DOJ must engage in public outreach to educate consumers and the business community about the Act beginning at least six months before the effective date.
4. This fiscal projection assumes that enactment occurs on or before January 1, 2024, making this Act effective on January 1, 2025. The DOJ must begin its public outreach around July 1, 2024.
5. The DOJ estimates that it would require 2.0 FTE, Deputy Attorneys General (DAG); 1.0 FTE, Legal Assistant; and 1.0 FTE Administrative Management Analyst positions to comply with the provisions of this Act. As a result of assumption 4, it is assumed that the recruitment process for positions would not need to occur until January 2024 so that the department has time to develop internal processes, begin work to identify entities that could potentially be impacted by the Act, and allow for the development of strategies surrounding the public outreach requirements. The DOJ anticipates that Appropriated Special Funds (ASF) from the Consumer Protection Fund could be utilized to provide funding for positions and other immediate resource needs. The recurring Fiscal Year 2024 ASF costs are estimated at \$280,454, and the ASF one-time costs are estimated at \$55,000 and are as follows:
 - a. Recurring ASF Costs – \$280,454 in Fiscal Year 2024 ASF personnel costs (6 months of funding), including OECs (at a rate of 31.83%), for 2.0 FTE, DAG V; 1.0 FTE, Legal Assistant IV; and 1.0 FTE, Administrative Management Analyst.
 - b. One-Time ASF Costs – \$55,000
 1. \$10,000 for computers, office furniture, and other supply startup costs for the new positions.
 2. \$45,000 for costs related to the public education program.
6. The Fiscal Year 2024 ASF personnel costs have been estimated for six months of funding, with the annualization of the remaining six months incorporated into subsequent year estimates. Additionally, a 2% inflation cost has been included for projected increases in salary, health insurance, and OECs.

Cost:

	<u>ASF One-Time</u>	<u>ASF Operating/Recurring</u>
Fiscal Year 2024:	\$55,000	\$280,454
Fiscal Year 2025:		\$572,126
Fiscal Year 2026:		\$583,568

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Office of the Controller General