**153rd GENERAL ASSEMBLY**
**FISCAL NOTE**

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| **BILL:** | **SENATE SUBSTITUTE NO. 1 FOR SENATE BILL NO. 16** |
| **SPONSOR:** | **Senator Mantzavinos** |
| **DESCRIPTION:** | **AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO DELAWARE BANKS AND TRUST COMPANIES.** |

## Assumptions:

1. This Act, known as the Delaware Banking Modernization Act of 2026, becomes effective upon signature by the Governor. The Act is to be implemented upon the earlier of one year after enactment or the issuance of final regulations.
2. This Act amends Title 5 of the Delaware Code to update and modernize various provisions of the Delaware Banking Code. The Act addresses digital assets, expands the State Bank Commissioner's (the "Commissioner") authority, modernizes corporate governance and organizational requirements for state-chartered banks and trust companies, facilitates interstate trust company operations and conversions, and expands the authority of out-of-state financial institutions to act as fiduciaries in Delaware.
3. This Act expands upon the regulatory authority and duties of the Office of the State Bank Commissioner (the "Office"). Additionally, the Act authorizes that the Commissioner may contract for and procure additional independent consulting, legal, technical, and professional services as needed to discharge the duties of the Office. As a result, the Office anticipates a need for ongoing specialized legal counsel estimated at $180,000 annually to assist with promulgating regulations, reviewing application processes and exam procedures, and complying with other modernizations proposed by this Act.
4. Pursuant to 5 Del. C. § 105(b), the State Bank Commissioner Regulatory Revolving Fund (the "Fund") shall be used in the operation of the various functions and duties required of the Office of the State Bank Commissioner. Therefore, this fiscal projection assumes that the Fund shall be used to support the projected personnel and operational needs of this Act.

## Cost:

| | **Appropriated Special Fund Recurring/Operating Costs** |
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| **Fiscal Year 2027:** | $180,000 |
| **Fiscal Year 2028:** | $180,000 |
| **Fiscal Year 2029:** | $180,000 |

Prepared by Jason R. Smith
Office of the Controller General