153rd GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 450**
SPONSOR:	**Representative Bush**
DESCRIPTION:	**AN ACT TO AMEND TITLE 9, TITLE 17, TITLE 22, AND TITLE 29 OF THE DELAWARE CODE RELATING TO LAND USE.**

Assumptions:

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

2. This Act, known as the Reforming Opportunities and Accelerated Development for Delaware Act, modifies and expands Delaware's land use permitting process.

3. This Act requires the Department of Transportation (DOT) to do the following by January 1, 2027:
    a. Adopt standards, regulations, and fees for a statewide transportation impact fee program.
    b. Revise and complete traffic impact studies.
    c. Deploy, operate, and maintain technological systems for automated monitoring, analysis and management of transportation infrastructure and traffic operations.
    d. Expand use of automated traffic analysis.

4. This Act further requires DOT to collect and distribute an additional surcharge equal to 1% of the transportation impact fee. The DOT will deposit these funds into the Transportation Impact Fee Fund quarterly with the Office of Management and Budget (OMB) who will, upon direction from the Governor, in consultation with the Director of OMB and the Controller General, divide the moneys between the following:
    a. The Delaware Farmland Preservation Fund.
    b. The Delaware Land and Water Conservation Trust Fund.
    c. The Department of Natural Resources and Environmental Control's Shoreline and Waterway Management Section.
    d. The DOT's programs for sidewalks to bicycle pathways.

5. To implement the provisions of this Act, DOT anticipates the need for 1.0 FTE Fiscal Analyst to support tracking and reconciling impact fee collections, calculating the 1% surcharge distributions, and ensuring accurate and timely disbursements, and one-time costs associated with engaging a consultant to assist in determining an appropriate transportation impact fee structure for the State of Delaware.
    a. Recurring Costs: $89,701 for 9 months of funding including Other Employment Costs (OECs) at a rate of 33.41% for 1.0 FTE Fiscal Analyst.
    b. One-Time Costs: $207,300 for general start-up costs for the new FTE and contractual services for evaluation, analysis and development of recommendations for an appropriate transportation impact fee for the State of Delaware.

6. A 2% inflation cost has been included for projected increases in personnel costs in Fiscal Years 2028 and 2029.

Cost:	**Transportation Trust Fund (TTF)**	**One-Time TTF**
Fiscal Year 2027:	$89,701	$207,300
Fiscal Year 2028:	$121,425	
Fiscal Year 2029:	$123,822	

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Office of the Controller General