

OFFICE OF FISCAL ANALYSIS

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HB-5222

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING VARIOUS STATUTES CONCERNING CONSUMER PROTECTION.

AMENDMENT

LCO No.: 6092

File Copy No.: 183

House Calendar No.: 149

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Attorney General	GF - Transfer from	250,000	250,000
Consumer Protection, Dept.	GF - Transfer to	250,000	250,000
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below
Consumer Protection, Dept.	Various Guaranty Funds - Potential Revenue Loss	See Below	See Below
Department of Transportation	TF - Potential Revenue Gain	See Below	See Below
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	See Below	See Below

Note: GF=General Fund; Various=Various; TF=Transportation Fund

Municipal Impact: None

Explanation

The amendment strikes the underlying bill and its associated fiscal impact resulting in the impact described below.

Section 2-4 changes the licensing period from one to two years for professional engineers and land surveyors and doubles the licensing fee

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which is revenue neutral over the biennium.

Section 6 expands what is considered plumbing and piping work resulting in a potential revenue gain to the General Fund (GF) to the extent additional plumbing and piping licenses are applied for¹.

Section 13-21 specifies that interest charged to a person who caused harm resulting in a payment from a Department of Consumer Protection (DCP) Guaranty Fund² stops accruing once DCP transfers the unpaid amount to the Department of Administrative Services (DAS). This results in a potential revenue loss to the Guaranty Funds to the extent DCP transfers unpaid amounts to DAS.

Sections 27-28 modifies used vehicle warranty requirements resulting in potential minimal revenue gain to the Transportation Fund to the extent that additional civil penalties are imposed from violations.

Section 33 allows the DCP to issue a civil penalty of up to \$5,000 for each electronic nicotine delivery system and vapor product sold that violates the provisions of this section, resulting in a potential revenue gain to the General Fund to the extent violations occur.

Section 43 specifies that DCP may issue a civil penalty of \$200 per day per consumer for each violation resulting in a potential revenue gain to the extent violations occur.

Section 60-61 requires the State Fire Marshal, and the working group established in section 2, to develop and administer a two-year, risk-based residential fire inspection pilot program. This results in no fiscal impact to the state because the working group has the expertise to meet the requirements of the amendment.

Section 60 does not result in a fiscal impact to municipalities as it is expected that a municipality will only participate in the pilot program

¹Plumbing and piping licenses have application fees of \$90 to \$150 and annual renewal fees of \$120 to \$150.

²These include the Real Estate Guaranty Fund, New Home Construction Guaranty Fund, Home Improvement Guaranty Fund, and the Health Club Guaranty Fund.

if they have the resources necessary.

Section 62 requires café permittees to limit the number of patrons at all times and establishes that violations of this provision are subject to a fine. This results in a potential revenue gain to the state beginning in FY 27 to the extent fines are imposed.

Section 63-64 expands the offenses of criminal mischief in the first and second degrees, resulting in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines.³ On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300⁴ while the average marginal cost for supervision in the community is less than \$600⁵ each year for adults and \$450 each year for juveniles.

Section 65 transfers \$250,000 in Personal Services funding from the Office of the Attorney General to the DCP for the costs of registering and ensuring compliance by operators of hotels, motels, and inns.

The amendment makes technical, clarifying, and minor changes to various bills as amended that do not alter the fiscal impact of those bills.

The amendment also makes various changes to statutes concerning consumer protection that have no fiscal impact to the state.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

³Between FY 22 and FY 25, there were a total of 10,818 offenses recorded and \$3,000 in fines collected under CGS §§ 53a-115 and 53a-116.

⁴Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these expenses would only be realized if a unit or facility opened.

⁵Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.