

# OFFICE OF FISCAL ANALYSIS

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HB-6100

AN ACT CONCERNING DEPARTMENT OF CONSUMER  
PROTECTION LICENSING AND ENFORCEMENT.

AMENDMENT

LCO No.: 7994

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## ***OFA Fiscal Note***

### ***State Impact:***

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 21 \$</b>	<b>FY 22 \$</b>	<b>FY 23 \$</b>
Consumer Protection, Dept.	New Automobiles Warranties Account - Potential Revenue Gain	None	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below	See Below

Note: GF=General Fund

### ***Municipal Impact:***

<b>Municipalities</b>	<b>Effect</b>	<b>FY 21 \$</b>	<b>FY 22 \$</b>	<b>FY 23 \$</b>
Various Municipalities	Potential Savings	Up to 5,000	Up to 5,000	Up to 5,000

### ***Explanation***

The amendment makes various changes to the Department of Consumer Protection (DCP) statutes resulting in the fiscal impact described below.

**Section 503** allows the DCP to impose a fine of up to \$10,000 per day for a manufacturer who fails to stamp a title as required by law resulting

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in a potential revenue gain to the new automobiles warranties account to the extent violations occur.

**Section 504** allows DCP to fine a manufacturer up to \$1,000 per day if the manufacturer fails to perform repairs by the applicable date set by the arbitrator resulting in a potential revenue gain to the new automobiles warranties account to the extent violations occur.

**Section 505** allows DCP to assess a late fee of \$2 per vehicle for new automobile warranties account surcharges that are late resulting in a potential revenue gain to the new automobiles warranties account to the extent violations occur.

**Sections 506-510** make various changes to pharmacies and drug control statutes resulting in no fiscal impact to the state.

**Sections 511-515** make various changes to medical marijuana and hemp statutes resulting in no fiscal impact.

**Section 530** allows certain permittees to hold multiple permits resulting in a potential revenue gain to the extent additional permits are applied for.

**Section 531** increases the number of package store permits a person may acquire from 5 to 6 resulting in a potential revenue gain to the extent additional permits are applied for. The annual renewal fee for a package store liquor permit is \$535 per year.

**Sections 545-546** allow druggist liquor permit holders to deliver alcohol and results in a potential revenue gain to the extent additional permits are applied for. The annual renewal fee for a druggist permit is \$535.

**Section 547** allows caterer liquor permit holders to serve alcohol with or without food resulting in a potential revenue gain to the extent additional permits are applied for. The annual renewal fee for a caterer permit is \$540.

**Section 549** specifies the up to \$1,000 fine the Department of Consumer Protection can impose on permittees for violations is a per violation fine, resulting in a potential revenue gain if additional fines are levied.

**Section 559** allows café permits to be issued to higher education institutions and results in a revenue gain to the extent additional permits are applied for. The annual renewal fee for a café permit is \$2,000.

**Sections 563-564** allows a municipality to vote by legislative body, rather than referendum, to allow the sale of alcohol, or to allow certain alcohol permits. Eliminating the requirement to conduct a referendum results in a savings, of less than \$5,000, to the extent that these votes occur. Savings is associated with reduced costs for printing ballots, paying poll workers, and police overtime to provide security at referenda.

**Section 565** creates a seasonal outdoor open-air permit with a fee of \$2,000 resulting in a potential revenue gain to the extent this permit is applied for.

**Section 568** allows mead to be sold in gift baskets and results in a potential revenue gain to the extent additional permits are applied for. The annual renewal fee for a gift basket permit is \$200.

**Sections 570-571** allows certain alcohol permittees to sell and deliver alcohol for off-premises consumption for three years resulting in a potential revenue gain to the extent the amendment results in additional liquor permit applications there is a potential revenue gain to the state

To the extent the amendments liquor provisions result in an increase in alcohol consumption in the state, there is a minimal revenue gain associated with incremental sales and alcoholic beverage taxes.

*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.*