

# OFFICE OF FISCAL ANALYSIS

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SB-193

AN ACT CONCERNING REVISIONS TO DEPARTMENT OF  
CONSUMER PROTECTION STATUTES.

AMENDMENT

LCO No.: 5594

File Copy No.: 93

Senate Calendar No.: 77

## ***OFA Fiscal Note***

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

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 19 \$</b>	<b>FY 20 \$</b>
Consumer Protection, Dept.	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

***Municipal Impact:*** None

### ***Explanation***

This amendment strikes the underlying bill and its associated fiscal impact resulting in the following impact. The bill makes various changes to the Department of Consumer Protection (DCP) statutes and results in a potential revenue gain to the state.

**Section 1** allows the DCP Commissioner to impose a civil penalty of not more than \$500 to any inspection violation concerning food, drug, or cosmetic devices licensed or registered in the state. Previously, the Commissioner could revoke or suspend the license or registration of the establishment. It is expected that 10 fines per year will occur. If the fines are all levied at the maximum \$500, this would generate \$5,000 in general fund revenue.

**Section 3** allows the DCP Commissioner to impose a fine of up to

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\$250 if a non-credential holder fails to respond to a complaint filed against them. In FY 2017 there were approximately 175 cases where this fine could have been imposed. Therefore, it is anticipated this will result in a revenue gain of less than \$50,000 annually.

**Section 7** allows two-thirds of members of a limited liability company that practices professional engineering or land surveying to be licensees and results in a potential revenue gain to DCP to the extent that this results in additional licenses.

**Section 11** requires a nonresident pharmacy to pay a filing fee for any change of name, management, officers, or directors and results in a potential revenue gain to DCP to the extent that such changes occur.

**Section 12** allows the DCP commissioner to issue citations when inquiring into any suspected violation and results in a potential revenue gain to the extent that citations are issued.

*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.*