

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 142

PRINTER'S NO. 778

AMOUNT

\$0

FUND

General

DATE INTRODUCED

Jan. 30, 2009

PRIME SPONSOR

Senator Tomlinson

HISTORY OF BILL

Referred to CONSUMER PROTECTION & PROFESSIONAL LICENSURE,
Jan. 30, 2009

Reported as amended, Feb. 10, 2009

First consideration, Feb. 10, 2009

Re-referral to APPROPRIATIONS, Feb. 11, 2009

Re-reported as amended, March 30, 2009

DESCRIPTION AND PURPOSE OF BILL

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," further providing for civil penalties; and making related repeals.

Senate Bill 142 amends Act 48 of 1993 entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; providing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension" by providing for certain civil penalties and increasing fees.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

SB 142 increases the maximum civil penalty that a licensing board or commission can impose from \$1,000 to \$10,000.

The bill further authorizes the 27 licensing boards and commissions under the jurisdiction of the Department of State to collect the costs associated with an investigation from a person who has been found to be in violation of the licensing act or regulation. The costs do not include legal fees or the cost of prosecution.

Finally, SB 142 extends the jurisdiction of the 27 boards and commissions to unlicensed persons who violate a disciplinary order of a board or commission.

Fiscal Impact

Each board or commission is fiscally self-reliant. Any fees or penalties will be deposited into each board's account. As such, we believe there will be no fiscal impact to the Commonwealth.

The Department of State estimates it may take in \$4 million in additional revenue and recoup \$1.4 million in investigation costs.