

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Health and Senior Services
Division Title: Division of Cannabis Regulation
Chapter Title: Marijuana**

Rule Number and Title:	19 CSR 100-1.020 Generally Applicable Provisions
Type of Rulemaking:	Emergency

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Facilities Waiver Costs	\$11,800 for the six month emergency rule period
Facility Administrative Fines	\$37,838 for the six month emergency rule period
Total =	\$49,638 for the six month emergency rule period

III. WORKSHEET

Administrative Processing Fee

Two hundred thirty six (236) variance requests x one hundred dollars (\$100) = \$23,600 / 2 = \$11,800

Administrative Fines

Anticipated based upon current trends = \$76,675 / 2 = 37,838

IV. ASSUMPTIONS

Each time a facility applies for a variance they incur a variance processing fee. The Department received 236 variance requests in FY22. It is anticipated that the Department will continue to receive at least this many requests in the future. As such for this emergency rule we took a year's worth of fees and divided it in half.

Facilities can incur administrative fines for not following the rules and regulations set forth in the chapter. There are different fine amounts based upon the level of failure to abide by the rules. In FY 22 there were administrative fines in the amount of \$42,996 that were collected and thus far in FY23 there have been \$75,675 in fines collected. It is unknown whether the increased trend will continue, however the Division is anticipating that it will at least continue at the FY23 level. As such for this emergency rule we took a year's worth of fines and divided it in half.