

## State Corporation Commission 2023 Fiscal Impact Statement

1. **Bill Number:** HB2485

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

2. **Patron:** Shin

3. **Committee:** Commerce and Energy

4. **Title:** Operators of automated teller machines and similar electronic terminals; registration required.

5. **Summary:** Requires certain operators of automated teller machines (ATM), cash-dispensing machine, or similar electronic terminal to register by July 1, 2024, with the State Corporation Commission in accordance with procedures established by the Commission. The bill prohibits registered operators from imposing fees for the use of its ATM, cash dispensing machine, or similar electronic terminal without first disclosing the fee to the customer and prohibits registered operators from imposing a transaction fee in excess of \$3 per transaction or two percent of the gross amount of the transaction, whichever is greater. The bill requires the Commission to adopt regulations to implement the provisions of the bill and authorizes the Attorney General to seek to enjoin violations of the bill's provisions and to seek damages and other relief as allowed by law. The bill has a delayed effective date of January 1, 2024.

6. **Budget Amendment Necessary:** Yes, Item 489.

7. **Fiscal Impact Estimates:** Preliminary. See Item 8.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2024	\$80,171	1.0	NGF (02100)
2025	\$82,229	1.0	NGF (02100)

8. **Fiscal Implications:** The proposed legislation would have a fiscal impact on the State Corporation Commission (SCC) as the agency would need additional staff to process registration applications and complete other administrative tasks associated with administering the registration program. The SCC estimates that one full-time equivalent position will be needed to perform these tasks starting in fiscal year 2024. Assuming a hire date of October 1, 2023, the total cost of this position, including salary, benefits and equipment is projected to be \$61,671 in fiscal year 2024 and \$82,229 in fiscal year 2025. Additionally, the SCC projects that \$16,000 will be spent in fiscal year 2024 to implement automated support systems for the newly created registration program.

The SCC does not have sufficient data to reliably estimate the number of applicable ATM operators that would be required to register with the SCC. Additional staff may be required if the industry response to this bill is favorable.

The legislation provides that each ATM operator shall pay an initial registration fee of \$1,000 and an annual registration fee of \$500 by September 15, 2024, and annually thereafter. Such revenue would be used to offset expenses incurred by the SCC in connection with administering the program.

The Office of the Attorney General reports that the bill does not have a fiscal impact.

**9. Specific Agency or Political Subdivisions Affected:** State Corporation Commission Bureau of Financial Institutions; Office of the Attorney General.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None