



## Fiscal Estimate Narratives

DATCP 1/5/2016

LRB Number	<b>15-3669/1</b>	Introduction Number	<b>SB-485</b>	Estimate Type	<b>Original</b>
<b>Description</b> Supplemental forfeitures for trade and consumer protection violations perpetrated against the elderly and disabled and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This bill allows a court to impose a supplemental forfeiture against a person who perpetrates against the elderly or disabled a violation of certain laws for which the Department of Agriculture, Trade and Consumer Protection (DATCP) has rule-making, investigation, or enforcement authority. Current law specifies the conditions under which a court may impose such a supplemental forfeiture for some laws for which DATCP has such authority, but not including laws relating to the following: future service plans, rental vehicles, self-service storage facilities, time shares, foreclosure consultants, prize notices, mail-order sales, unfair billing, vehicle protection product warranties, video subscriber rights, solicitations of public record fees, contract solicitations using checks or money orders, telephone solicitations, telephone records, consumer loan information, tax preparer client information, and residential contractors. Under certain conditions, the bill allows a court to impose a supplement forfeiture for violations of the foregoing that are perpetrated against the elderly or disabled.

While DATCP does not track the age of complainants, the Federal Trade Commission reports fraud complaints from individuals 60 and older rose at least 47 percent between 2012 and 2014. Criminals target seniors and vulnerable individuals, believing them to be easy targets.

Since the bill does not create any new areas of enforcement, the actual workload for DATCP staff would not change. Therefore, this bill would neither increase nor decrease investigation costs. The State defines supplemental forfeitures as not to exceed \$10,000 in statute; therefore, additional rulemaking will not be required.

### Long-Range Fiscal Implications