

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/18/2021**

Bill/Resolution No.: HB 1420

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2019-2021 Biennium		2021-2023 Biennium		2023-2025 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$777,290		\$1,856,890
<b>Expenditures</b>				\$1,228,930		\$2,072,971
<b>Appropriations</b>						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2019-2021 Biennium	2021-2023 Biennium	2023-2025 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

HB1420 modifies penalties for the possession of marijuana, creates a new chapter of NDCC for adult use of marijuana including edible products, and modifies the term saliva to oral fluid language in motor vehicle laws.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 4 would establish an adult use program that would have a fiscal impact on the Department of Health. Establishing a new program will require additional manufacturing facilities and dispensaries to be registered resulting in increased revenue. The new program will require additional FTE to adequately monitor operations, thus resulting in an increase in expenditures.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Revenue projections would be impacted. While revenue from patient/caregiver applications is projected to decrease, it is anticipated that this decrease would be offset by current manufacturing facilities increasing their plant count, application periods being open to register additional manufacturing facilities and dispensaries, and agents from these new facilities paying registration fees.

2021-2023 Biennium - \$777,290 Net Revenue

- Manufactures producing more plants \$400,000
- Two new manufacturing facilities \$220,000
- Projected 4 new dispensaries \$360,000
- Fees from open application periods \$275,000
- Agent application fees \$ 44,000

Less a 90% decrease in Patient/caregiver application fees (\$521,710)

2023-2025 Biennium - \$1,856,890 Net Revenue

- Additional Plants \$520,000 (last biennium plus one new facility with additional 6,000 plants)
  - Manufacturing fee \$330,000 (two from previous biennium and one new one)
  - Dispensary fee \$1,080,000 (four last biennium, Plus 8 new)
  - Application Fees \$370,000 (10 application to become a manufacturing facility and 64 dispensary applications)
  - Agent application fees \$146,000 (agents from last biennium, one new manufacturer and eight dispensaries)
- Less a 90% decrease in Patient/caregiver application fees (\$589,110)

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Adding an adult use program to the medical marijuana program will result in additional costs to adequately monitor operations. Six additional FTE are projected for the 2021-23 Biennium. Five additional FTE are anticipated in the 2023-2025 Biennium.

2021-2023 Biennium Expenditures - \$1,228,930

6 FTE - \$1,109,194 Salaries and Wages

Travel - \$19,317 increased current budgeted travel by 30% (impacted by placement of manufacturing facilities) and necessary training conference attended annually.

IT and rent costs - \$25,169

One-Time Expenditures:

Computers and office equipment- \$15,250

IT system programming changes - \$60,000 (current BioTrack system)

2023-2025 Biennium Expenditures - \$2,072,971

6 FTE - \$1,109,194 (continue 2021 - 2023 biennial costs)

5 FTE - \$871,208 (additional five FTE - NOTE: smallest state agency with similar program is Maine with 29 FTE)

Travel - \$37,195 (increase from 2021 - 2023 biennium plus 40% increase due to additional facilities to monitor)

IT and rent costs - \$44,249

One-Time Expenditures:

Computers and office equipment - \$11,125

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The program operates under a continuing appropriation as established in NDCC. No appropriation is required. Revenue collected from the current 2019 - 2021 biennium in addition to the projected new revenue will be sufficient to cover anticipated expenditures.

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