152nd GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 191**
SPONSOR:	**Representative Dorsey Walker**
DESCRIPTION:	**AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE LANDLORD TENANT CODE.**

Assumptions:

1. This Act becomes effective upon signature by the Governor.
2. This Act allows a tenant to bring an action to the Justice of the Peace Court (JP Court) when it is alleged that a landlord has allowed dangerous conditions and defects to exist in leased premises and that effective mechanisms be established for repairing these conditions and halting their creation. Further, this Act requires the JP Court to make appropriate findings of fact and to make any order that the justice of the case may require.
3. The JP Court anticipates that it will experience an additional volume of hearings and transactions resulting from this Act. The JP Court estimates it will need an additional Magistrate and Judicial Case Processor in each county. The Fiscal Year 2024 costs are estimated at $279,894, and one-time costs are estimated at $17,220 and are as follows:

   a. Addition of 6.0 FTE positions to the JP Court.

      i. Recurring Costs - $279,894

         1. $278,894 in Fiscal Year 2024 Personnel Costs (6 months of funding), including OECs at a rate of 32.25%, for 3.0 FTE, JP Court Magistrate; and 3.0 FTE, Judicial Case Processor II.
         2. $1,000 for office and related supplies and materials needs.

      ii. One-Time Costs - $17,220

         1. $17,220 estimated for computer and technology equipment, office furniture, and other startup costs for the new positions.
         2. Indeterminable amount for programming costs for updates and implementation to the JP Courts civil case processing system.
4. All Fiscal Year 2024 personnel costs have been estimated for six months of funding, with the annualization of the remaining six months incorporated into subsequent year estimates as it is assumed the nomination and confirmation process may take several months. Additionally, a 2% inflation cost has been included for projected increases in salary, health insurance, and OECs.
5. The proposed Fiscal Year 2024 Appropriations Act and the proposed Fiscal Year 2024 One-Time Supplemental Appropriations Act include appropriations of $269,600 and $17,200, respectively, to support the implementation costs associated with this Act. The expenditure of these funds shall be contingent upon the passage of this legislation.

Cost:

	One-Time	Recurring/Operating
Fiscal Year 2024:	$17,220	$279,894
Fiscal Year 2025:		$569,944
Fiscal Year 2026:		$581,323

Prepared by Jason R. Smith
Office of the Controller General