

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 740
 SPONSOR: Senator Cowin
 SUBJECT: Consumer Frauds Trust Fund
 DATE: December 20, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Mannelli	Beck	APJ	Favorable
2.	_____	_____	AP	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This legislation re-creates the Consumer Fraud Trust Fund without modification, effective upon becoming a law. The Consumer Fraud Trust Fund, FLAIR #21-2-127, is administered by the Justice Administration Commission. This fund was created by Chapter 98-353.

II. Present Situation:

The receipts of the Consumer Fraud Trust Fund are expended for attorney fees and costs of investigation or litigation in proceedings resulting from the enforcement of the consumer protection laws of the state.

The primary source of revenue for the Consumer Fraud Trust Fund is a civil judgment of not more than \$10,000 per violation. The enforcing authority is entitled to receive reimbursement for attorney fees and costs of investigation or litigation incurred in enforcing the consumer protection laws of the state.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.