

**Department of Planning and Budget**  
**2026 General Assembly Session**  
**State Fiscal Impact Statement**

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**ORIGINAL**

**Bill Number:** SB791

**Patron:** McDougle

**Bill Title:** Assisted living facilities; resident referral agencies; required disclosures; referral fee limitations; civil penalty.

**Bill Summary:** Sets forth requirements for resident referral agencies, including required disclosures, referral fee limitations, enforcement, and civil penalties. As defined in the bill, a resident referral agency is any individual or entity that receives compensation from an assisted living facility, a third party, or a prospective resident for providing resident referrals to an assisted living facility. The bill provides that assisted living facilities and residents are not obligated to participate with any resident referral agency and specifies that residents may opt out at any time in writing. The bill also specifies the minimum services a resident referral agency must provide before becoming eligible to receive a referral fee.

**Budget Amendment Necessary:** No

**Items Impacted:** n/a

**Fiscal Summary:** Any impacts to nongeneral fund revenue at the Department of Social Services are indeterminate. The provisions of this legislation may impact the Office of the Attorney General (OAG); however, the extent of such impact and any associated costs are unknown at this time. Should additional information be provided by OAG, this fiscal impact may be updated.

**Fiscal Analysis:** This legislation sets out requirements for resident referral agencies as it relates to their role in referring an individual to an assisted living facility, including required disclosures, referral fee limitations, enforcement, and civil penalties. The bill provides for any civil penalties resulting from violations of such requirements to be deposited into the Assisted Living Facility Education, Training, and Technical Assistance Fund, which is an existing special fund maintained by the Department of Social Services (DSS). Any increase to nongeneral fund revenue that may result from the collection of civil penalties under this bill is indeterminate. DSS does not report other fiscal impacts resulting from the provisions of this legislation.

The bill additionally requires the Office of the Attorney General (OAG) to oversee resident referral agency compliance with the provisions of this bill and collect any civil penalties for deposit into the DSS special fund. It is possible that OAG may need additional positions or appropriation to comply with the provisions of this bill; however, the necessity or extent of such resources is not known at this time. Should new information be provided by OAG, this fiscal impact may be updated.

**Other:** SB791 may be a companion to HB297.