

Fiscal Estimate Narratives

DOR 11/17/2015

LRB Number	15-2771/5	Introduction Number	AB-0492	Estimate Type	Original
Description					
Local ordinances and providing a reduction in shared revenue payments					

Assumptions Used in Arriving at Fiscal Estimate

Under Assembly Bill 492, a political subdivision may not enact an ordinance, adopt a resolution, or establish a policy preventing an employee of the political subdivision from inquiring on an individual's immigration status when seeking or receiving public services. The bill also prohibits ordinances, resolutions, or policies that prevent a public employee from notifying the federal government of the illegal aliens in the political subdivision. The bill specifies that any ordinances, resolutions, or policies inconsistent with the bill do not apply and may not be enforced.

The bill allows a state resident to file a writ of mandamus with the circuit court for the county where the alleged activity occurred. If the court finds a political subdivision noncompliant, then the Department of Revenue must reduce shared revenue payments in the following year by an amount for each day after the filing action.

The bill outlines shared revenue reductions based a political subdivision's population: less than 10,000 in population, \$500 each day; 10,000 through 100,000 in population, \$1,000 each day, 100,000 through 250,000 in population, \$2,000 each day; 250,000 or more in population, \$5,000 each day.

The Department cannot reasonably estimate a shared revenue reduction without a court first finding a political subdivision noncompliant. The Department can illustrate the shared revenue reductions for political subdivisions found noncompliant by a court for 90 days:

0 – 10,000 in population (\$500 each day).....	\$ 45,000
10,000-100,000 in population (\$1,000 each day).....	\$ 90,000
100,000-250,000 in population (\$2,000 each day).....	\$180,000
250,000 or more in population (\$5,000 each day).....	\$450,000

Long-Range Fiscal Implications