

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-4008/1	Introduction Number SB-445				
Description Terminating a tenancy for criminal activity or drug-related criminal activity; disposition of personal property left in rental property by a trespasser; preexisting sprinkler ordinances that are stricter than the multifamily dwelling code; towing vehicles illegally parked on private property; terminating certain tenancies for breaches other than failure to pay rent; limitations on the authority of political subdivisions to regulate rental units, historic properties, and signs; prohibiting local governmental units from imposing real property purchase or residential real property occupancy requirements; creating a criminal penalty; and making an appropriation					
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs					
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input checked="" type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts					
<table style="width: 100%;"> <tr> <td style="width: 50%;">Fund Sources Affected</td> <td style="width: 50%;">Affected Ch. 20 Appropriations</td> </tr> <tr> <td> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS </td> <td></td> </tr> </table>		Fund Sources Affected	Affected Ch. 20 Appropriations	<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Fund Sources Affected	Affected Ch. 20 Appropriations				
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS					
Agency/Prepared By	Authorized Signature	Date			
DATCP/ David Woldseth (608) 224-5164	Jason Gherke (608) 224-4748	1/4/2016			

Fiscal Estimate Narratives

DATCP 1/4/2016

LRB Number	15-4008/1	Introduction Number	SB-445	Estimate Type	Original
Description Terminating a tenancy for criminal activity or drug-related criminal activity; disposition of personal property left in rental property by a trespasser; preexisting sprinkler ordinances that are stricter than the multifamily dwelling code; towing vehicles illegally parked on private property; terminating certain tenancies for breaches other than failure to pay rent; limitations on the authority of political subdivisions to regulate rental units, historic properties, and signs; prohibiting local governmental units from imposing real property purchase or residential real property occupancy requirements; creating a criminal penalty; and making an appropriation					

Assumptions Used in Arriving at Fiscal Estimate

This bill creates a right-to-cure for certain tenants for certain breaches; makes remaining on property without consent criminal trespass and provides for the disposition of personal property left in rental property by a trespasser; authorizes a landlord to terminate the tenancy of a tenant based on criminal activity committed by the tenant or a member of the tenant's household; limits the authority of political subdivisions to regulate rental units, historic properties, and signs; prohibits a local governmental unit from making the purchase or transfer of real property or the occupancy of residential real property contingent on whether a purchaser or other transferee takes certain actions with respect to the property; eliminates a statutory exception for certain local ordinances having automatic sprinkler requirements that are stricter than the state multifamily dwelling code; and allows a towing company to collect charges if it makes a good faith effort to notify law enforcement.

Many aspects of this bill do not affect Ch. 704, Wis. Stats., which governs state landlord tenant law. While the department does not enforce this chapter, it does regulate residential rental practices by administrative rule (ATCP 134), through its authority under s. 100.20, Wis. Stats., which regulates unfair trade practices. Local jurisdictions will need to enforce these changes through courts and the eviction process.

If this bill is enacted, the department does not believe it will need to undergo further rulemaking to bring its rule in alignment with statute. However, landlords and tenants regularly contact the department for information about the statute and how the law impacts the way they do business. Thus, the department anticipates that the changes in the bill will increase the number of contacts and complaints, resulting in increased workload. The department will need to update its printed materials and conduct additional outreach to educate the public about the changes.

Although the department anticipates an increase in workload resulting from the changes in this bill, it is unable to estimate the extent of the increase but the workload would be absorbed by existing staff.

Long-Range Fiscal Implications

None known at this time.

Fiscal Estimate Worksheet - 2015 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-4008/1	Introduction Number SB-445
-----------------------------	-----------------------------------

Description
 Terminating a tenancy for criminal activity or drug-related criminal activity; disposition of personal property left in rental property by a trespasser; preexisting sprinkler ordinances that are stricter than the multifamily dwelling code; towing vehicles illegally parked on private property; terminating certain tenancies for breaches other than failure to pay rent; limitations on the authority of political subdivisions to regulate rental units, historic properties, and signs; prohibiting local governmental units from imposing real property purchase or residential real property occupancy requirements; creating a criminal penalty; and making an appropriation

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

None. The bill will not increase any fees currently collected; the bill will increase some local costs, but that cannot be accurately specified.

II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs	Decreased Costs

A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$	\$

B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS		
SEG/SEG-S		

III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)

	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$

NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$	\$0
NET CHANGE IN REVENUE	\$	\$0

--	--	--

Agency/Prepared By	Authorized Signature	Date
DATCP/ David Woldseth (608) 224-5164	Jason Gherke (608) 224-4748	1/4/2016