

<b>FISCAL ESTIMATE</b> DOA-2048 N(R 10/98) <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED	List both LRB No. and Bill/Adm. Rule No. LRB-812/1 SB 375
<input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL	Amendment No. (If Applicable)

**Subject**  
Electronic Mail Solicitations

<b>Fiscal Effect</b> State: <input type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation  <input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation	<input checked="" type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> Decrease Costs
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<b>Local:</b> <input type="checkbox"/> No local government costs 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Unit Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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<b>Fund Source Affected</b> <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>Affected Ch. 20 Appropriations</b> 20.115(1)(a)
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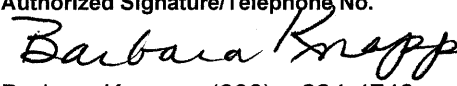
**Assumptions Used in Arriving at Fiscal Estimate**  
 This bill has several sections. The first section creates a right for Internet service providers to sue civilly, persons who, in violation of their private agreements, use the provider's service to solicit Internet users. The Department assumes no fiscal impact associated with this first section.

The bill also prohibits misrepresentation of a person's identity in an electronic mail message and requires parental consent for minors to give personal information to a person operating an Internet Web site.

The bill requires an e-mail solicitor to provide a cost free method for recipients of their solicitations to contact them to be removed from future e-mail solicitations and requires the solicitor to honor that request. It also requires a person who maintains a commercial Internet Web site to display a notice on their home page describing their policy about collection and use of visitor information and requires each site to provide a method for visitors to consent to the use of their information. This bill then prohibits disclosing information about Internet customers without the customer's consent.

It is difficult to determine the fiscal impact of a bill that is this broad reaching. The Internet has well over 1 million sites and it is unknown how many collect or share information about their visitors. There is no known method for informing all affected parties of the affirmative obligations placed on them by this bill and the department assumes the authors do not anticipate Wisconsin attempting to do so.

For purposes of this estimate, the department assumes that enforcement of the provisions of this bill will be as complaints are received. The department assumes that, given the number of potential violators, staffing this program will require the following personnel. Six FTE Consumer Specialists and one FTE Program Assistant will mediate consumer complaints and educate both consumers and business about the requirements of the law. Three FTE Investigators will be needed to prepare enforcement actions where needed. The department assumes that greater national and international cooperation than ever before will be necessary to regulate the electronic business

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community. Given the complexity of the jurisdictional issues, one FTE Consumer Complaint Supervisor and one FTE Attorney will also be needed. Finally, one FTE Management Information Specialist, for technical support, will be necessary.

One time costs for computers, hardware, telephones, and office setup will be \$115,700.

**Long - Range Fiscal Implications**

The department estimates annual operating costs to be \$631,000.

**FISCAL ESTIMATE WORKSHEET**

**1999 Session**

Detailed Estimate of Annual Fiscal Effect

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

LRB or Bill No./Adm. Rule No. <b>SB 375 / LRB-812/1</b>	Amendment No.
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DOA-2047 (R10/94)

Subject    Electronic Commerce

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

**\$115,700 (Computers, Workstations)**

II. Annualized Costs:	Annualized Fiscal Impact on State Funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	<b>\$537,400.00</b>	
(FTE Position Changes)	13	(-      FTE)
State Operations - Other Costs	<b>\$93,600</b>	
Local Assistance		
Aids to Individuals and Organizations		
<b>TOTAL State Costs by Category</b>	<b>\$631,000.00</b>	
<b>B. State Costs by Source of Funds</b>	Increased Costs	Decreased Costs
GPR	<b>\$631,000</b>	
FED		
PRO/PRS		
SEG/SEG-S		
<b>III. State Revenues</b>	Increased Rev.	Decreased Rev.
Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
GPR Taxes		
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
<b>TOTAL State Revenues</b>		

**NET ANNUALIZED FISCAL IMPACT**  
STATE

LOCAL

NET CHANGE IN COSTS    **\$631,000** \_\_\_\_\_

NET CHANGE IN REVENUES    \_\_\_\_\_

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Date

*2/28/00*