

Fiscal Estimate — 2001 Session

- Original Updated
 Corrected Supplemental

LRB Number LRB-2520/1	Amendment Number if Applicable
Bill Number AB-195	Administrative Rule Number

Subject
 Disclosure of Information Regarding Children

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

- Increase Costs — May be possible to absorb within agency's budget.
 Yes No
 Decrease Costs

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory
3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

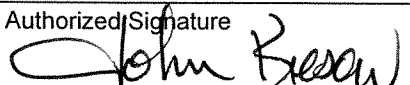
Assumptions Used in Arriving at Fiscal Estimate

It is assumed that the intent of this bill is to prohibit state and local agencies and others from disclosing any personal information about a person under 18 years of age for commercial or trade purposes without the prior written consent of a parent or guardian of the child. If the parent or guardian does give consent, the agency or other person disclosing the information must inform the parent or guardian about the source of the information, provide a copy of the information, identify the persons to whom the information is to be disclosed, and the procedures by which a parent or guardian may correct, revise or withdraw the information. The bill also prohibits making the provision of services contingent upon parental consent to release information.

While the bill focuses on the use of information for trade or commercial purposes, the language under s. 895.502 (5) prohibits making the provision of "services" contingent upon the granting of consent to disclose information by the parent or guardian. Section 895.502 (6) also refers to using information to contact a child or the child's parent or guardian "...to offer any service...." This language could be interpreted to mean that state and local government agencies could not require disclosure of information on a person under the age of 18 when the child or family applies for services provided by a state or local agency. State and local government agencies require certain information for services funded by state, local and federal funds.

Also, section 895.502 (2) of the bill does not prohibit state or local agencies from disclosing information to an appropriate public agency "...for investigative or law enforcement purposes...." Government agencies also exchange information for purposes other than investigative or law enforcement purposes. For example, information may be exchanged between the state and local public health agencies regarding the immunization status of children so the agencies can contact families and offer immunization services.

Long-Range Fiscal Implications

Prepared By: Andrew Forsaith	Telephone No. 266-7684	Agency DHFS/OSF
Authorized Signature 	Telephone No. 6-9622	Date (mm/dd/ccyy) 3-13-01

If it is assumed that the bill does not prohibit state and local governments from requiring information as a condition of receiving government services, the bill has no fiscal effect on the Department or local health and social service agencies. If the bill does prohibit the Department and local agencies from requiring this information as a condition of receiving government services, the bill would have a significant fiscal impact on state and local government agencies because services could not be provided without parental/guardian consent to release information (contrary to current state, local and federal requirements) and agencies would be burdened by the administrative requirement to provide consenting parents and guardians information about the source of the information, provide a copy of the information, identify the persons to whom the information is to be disclosed, and the procedures by which a parent or guardian may correct, revise or withdraw the information. The fiscal effect cannot be determined.