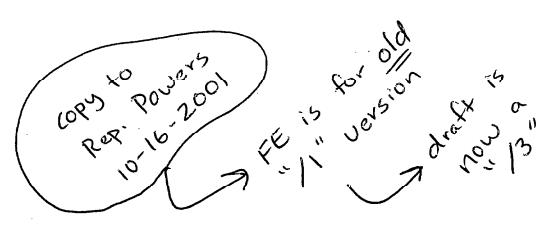
☑ Original □	Updated	Corrected	S	upplemental
LRB Number 01-3774/	1	Introduction Numb	per	
Subject Access to public records; use of scaller ID blocking; privacy impact	SS numbers; prisoner statements; place of	activities; prescription and certain trials; DEG officers	d credit/debit	card information;
State: No State Fiscal Effect Indeterminate Increase Existing Appropriations Decrease Existing Appropriations Create New Appropriati Local: No Local Government Cos Indeterminate 1. Increase Costs Permissive Manda 2. Decrease Costs Permissive Manda	ts 3. Increase Retory Permissive 4. Increase Retory Permissive	increas absorb Decrea 5.Types of Units Aff Mandatory evenue Sch	within agenc Yes se Costs f Local Gover fected Ins Vinties O	No
Fund Sources Affected GPR FED PRO	PRS SEG	Affected Ch	. 20 Арргорі	riations
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HEAB/ Jane Hojan-Clark (608) 20	64-6181 Jane	Hojan-Clark (608) 264-61	81	10/16/01



Fiscal Estimate Narratives HEAB 10/16/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject		-		-

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

This bill creates various prohibitions, restrictions, and requirements, and makes changes in existing laws with respect to protection of personal privacy and security of personal information, and changes the place of trial for certain existing crimes.

Under current law, the University of Wisconsin System, a technical college district board, a school board, and the governing body of a private school are prohibited from assigning to any student an identification number that is identical to or incorporates the student's social security number.

Beginning January 1, 2007, this bill extends this prohibition to private institutions of higher education located in this state.

The Higher Educational Aids Board (HEAB) collects data from the U. S. Department of Education Financial Aid Application Processing Centers related to applicants for State college financial assistance. This data is student specific by social security number. Therefore, all the records HEAB processes and maintains are tied to social security numbers. Current law allows institutions to require that college students disclose their social security number and enables schools to use these numbers if the use is required by a federal or state agency in order for the student to participate in a particular program. HEAB will continue to process and maintain data that is tied to social security numbers.

Under this bill, private schools will be prohibited from assigning a student identification number that is identical to or incorporates the student's social security number. However, for State financial aid purposes the student's social security number will need to be collected, maintained, and used.

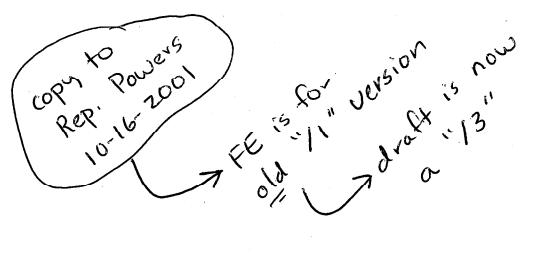
FISCAL ESTIMATE:

Since no changes are necessary, this bill will not have a fiscal impact on HEAB.

Long-Range Fiscal Implications

None.

☑ Original ☑ Updated	Corre	ected	Supplemental			
LRB Number 01-3774/1	Introduction	on Number	4.			
Subject Access to public records; use of SS numbers; pricaller ID blocking; privacy impact statements; pla	soner activities; pres ce of certain trials; D	cription and credit/d EG officers	ebit card information;			
Fiscal Effect						
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ETF/ Pam Henning (608) 267-2929	Dave Hinrichs (608)	266-3763	10/16/01			



Fiscal Estimate Narratives ETF 10/16/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject			1	

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

LRB 3774/1 requires health plans to eliminate the use of Social Security numbers from plan identification (ID) cards. This proposal has a fiscal impact to the extent that health plans pass on any increased administrative costs to the state through the health plan premium charged to the state. This will primarily involve a one-time charge for health plans to re-distribute compliant ID cards to members and to make the necessary information system changes to accommodate this requirement. Individual health plans have varying capability to make these changes. Based on information provided by a sampling of health plans, these costs range from \$0 to approximately one-half of one percent of premium. Based on estimated state share of premium costs in CY 2001 of \$434 million and assuming an average of one-quarter of one percent of premium, we estimate the fiscal effect of this proposal to range up to \$1.085 million.

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

			Updated		Corrected		Supplemental
LF	RB Number	01-3774/	1	Intro	duction Nur	nber	
Su	bject						
Acc info	cess to public re ormation; caller l	cords; use of S D blocking; pri	SS numbers; p vacy impact st	risoner activ tatements; p	ities; prescription lace of certain t	on and cred rials; DEG	dit/debit card officers
I. C	ne-time Costs	or Revenue In	npacts for St	ate and/or L	ocal Governm	ent (do no	ot include in
anı	nualized fiscal	епест):					
\$0	- \$1.085 million	(see narrative)					
II. /	Annualized Cos	sts:			Annualized I	Fiscal Imp	act on funds from:
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	State Operations		·	i			
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ш	-ED						
Ш	PRO/PRS						
L	SEG/SEG-S						
III. (e.	State Revenue g., tax increase	s - Complete t e, decrease in	this only whe license fee, e	n proposal ts.)	will Increase o	r decreas	e state revenues
					Increased Re	ev	Decreased Rev
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ET	F/ Pam Henning	g (608) 267-29	29	Dave Hinrich	ns (608) 266-37	63	10/16/01

Original Updated	Corre	ected	Supple	mental
LRB Number 01-3774/1	Introducti	on Number		
Subject Access to public records; use of SS numbers; pricaller ID blocking; privacy impact statements; place	soner activities; precee of certain trials; [scription and credi DEG officers	t/debit card i	nformation;
Appropriations Decrease Existing Appropriations Rever Appropriations Create New Appropriations Local: No Local Government Costs Indeterminate 1. Increase Costs Permissive Mandatory Permis 2. Decrease Costs 4. Decre	ease Existing	Increase Cost absorb within Yes Decrease Cost 5.Types of Local Units Affected Towns Counties School Districts	agency's bu	dget No Tites
Fund Sources Affected GPR FED PRO PRS	SEG SEGS	Affected Ch. 20 A	ppropriation	าร
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SPD/ Mike Tobin (608) 266-8259	Krista Ginger (608)	264-8572		10/16/01
(OR) PODE 200)	Krista Ginger (608)	310° x 25 13		

Fiscal Estimate Narratives SPD 10/16/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

Since the proposed new offenses are forfeitures (not crimes), SPD will not experience increased costs for client representation. However, changes in access to social security numbers could reduce the SPD's program revenue from collections.

SPD presently provides social security numbers (of those clients who have voluntarily given the numbers to SPD) to the private collection agency responsible for collecting delinquent accounts. The agency advises SPD that the social security number is essential to maximize the chance for successful collection efforts. It is unclear whether this bill would prohibit SPD from disclosing social security numbers in the future. Also, it is possible that public awareness of new restrictions on use of social security numbers may result in fewer clients providing SPD with their social security numbers.

Memo

Subject:

To: Rep. Powers	(The Bill's Requestor)
Attached is a fiscal estimate prepared for 2001 draft that has not yet been introduced in the control of the co	
LRB Number: LRB 3774	
Version: "/"	
Entered In Computer And Copy Sent To Requestor Via E-Mail:	D118/2001
If you have questions about the attached fiscal estimate, you maindividual who prepared the fiscal estimate. If you disagree with estimate, please contact the LRB drafter of your proposal to discunder the fiscal estimate procedure.	the enclosed fiscal
* * * * * * * * * * * * * * * * * * * *	* * * * *
To: LRB – Legal Section PA's	

- If this is **re-drafted** to a new version please attach this early fiscal estimate to the back of the draft's file between the old version and the new version.
- If this draft gets **introduced** ... and the version of the attached fiscal estimate is correct ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 _____

Fiscal Estimate Received For A Un-Introduced Draft

• If this draft gets **introduced** ... and the version of the attached fiscal estimate is for a previous version ... please attach this early fiscal estimate to the back of the draft's file between the old version and the new version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.

Emery, Lynn

From: Sent:

To:

Subject:

Emery, Lynn Thursday, October 18, 2001 12:25 PM Rep.Powers LRB-3774/1 (FE by DHFS - attached - for your review)



FE_Powers.pdf

FE_Powers.pdf

Wisconsin Department of Administration Division of Executive Budget and Finance DOA-2048 (R07/2000)

X	Original		Updated		Corrected		Suppler	nental
LRB	Number	01-3774/1		Intro	duction Nu	ımber		y
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DHFS	/ Richard Me	gna (608) 266-9	359	Fredi Ellen B	ove (608) 266	6- 2907		10/18/01

Fiscal Estimate Narratives DHFS 10/18/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

This bill contains a number of provisions that could impact the Department of Health and Family Services (DHFS). The bill would:

- a. prohibit the listing of a person's social security number on a person's health insurance card as an identification number or other purpose;
- b. Expand health care records confidentiality requirements for licensed pharmacies and pharmacists;
- c. Prohibit health care providers from assigning to any patient an identification number that is identical or incorporates the patient's social security number; and
- d. Add restrictions to the access of public records containing social security numbers.

The requirement that prohibits the listing of a person's social security number on the person's health insurance card would apply to the HIRSP program. Currently, for most policyholders, the HIRSP program uses the person's social security number as an identification number and lists the social security number on the person's insurance card. As a result of this provision, HIRSP would have to design and implement a new patient identification system, issue approximately 12,000 new ID cards, inform providers and policyholders of the changed identification system, modify applications processing, and make all of the systems changes to process claims, report and track benefits histories on the new identification system. At this time, the exact costs of these changes are uncertain, but these changes are major systems modifications that would have significant costs that could be in the range of several hundred thousand dollars. Any increased cost to the HIRSP program is borne by policy-holders in the form of premiums, insurers through increased assessments, and providers through reduced reimbursements.

The provision expanding confidentiality requirements for licensed pharmacies and pharmacists would not have a significant impact on the Department. The confidentiality provisions would not apply to the processing of pharmacy claims for MA or other programs operated by the Department.

The bill's prohibition that health care providers not use social security numbers as identification numbers would apply to the Department's two Mental Health Institutes and three State Centers for the Developmentally Disabled. However, these institutions do not currently use social security numbers as identification numbers. Although these institutions collect social security numbers for purposes of MA claiming, the bill would allow health care providers to collect social security numbers and to use those numbers for participation in state and federal programs.

The bill would also restrict the release of public records, with certain exceptions, to require that the social security number be removed when the record is released under a public request. Assuming that this provision would not apply to the exchange of information between MA providers and the Department for the processing of MA claims, this restriction would not impact the operation of the MA and BadgerCare programs. However, it should be recognized that the MA and BadgerCare programs rely substantially on the use of social security numbers, and if courts would interpret the bill's provisions more broadly, there could be major impacts on the operation of these programs.

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LRB Numb	oer 01-37	774/1		Intro	duction N	lumber		
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Fiscal Estimate Narratives DA 10/22/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				
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Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

None of the changes proposed by this bill would materally increase the number of cases brought to district attorneys' offices in Wisconsin.

Long-Range Fiscal Implications

None

	Original		Updated		Corrected		Supplei	mental
LRB	Number	01-3774/1		Introd	duction Numbe	r	-	
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caller II	D blocking; p	rivacy impact sta	numbers; prison tements; place o	er activities of certain to	s; prescription and drials; DEG officers	credit/	debit card i	nformation;
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DOC/N	Nathan White	(608) 240-5415	Ro	bert Margo	olies (608) 240-5056	3		10/19/01
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Fiscal Estimate Narratives DOC 10/22/01

LRB Number 01-3774/1	Introduction Number	Estimate Type	Original
Subject			
Access to public records; use o	f SS numbers; prisoner activities; p	prescription and credit/deb	oit card information:

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

This bill makes changes in the existing law with respect to protection of personal privacy and security of personal information.

Under current law, inmates performing data entry or telemarketing in the Corrections system are prohibited from having access to an individual's financial records. This bill prohibits inmates from having access to an individual's date of birth. Under current practice, DOC inmates are already prohibited from having access to this type of information.

Another provision states that under most circumstances, the records custodian of any state governing unit must delete the social security account number on an individual's record before permitting access. DOC generally does not disclose this information.

The bill also permits a law enforcement agency and a juvenile court or municipal court to disclose information in its records relating to a juvenile under certain circumstances. DOC does not keep information on juveniles based on a social security number, rather they are assigned an identification number.

None of these provisions are anticipated to have any fiscal impact on the Department of Corrections.

	Original		Updated		Corrected		Supplem	ental
LRB	Number	01-3774/1		Intro	duction Numl	ber		
Subject Access caller I	s to public re	cords; use of SS orivacy impact st	numbere; pri atements; pla	soner activitie ce of certain t	es; prescription an trials; DEG officer	nd credit/de 'S	ebit card in	formation;
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DOA/ I	Dick Wagner	(608) 266-0653		Paul McMah	on (608) 266-135	9 .	1	0/23/01
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Fiscal Estimate Narratives DOA 10/23/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

The bill would change and add certain procedures regarding public records held by the agency. The number of potential cases under which individuals may seek court orders to restrain access and the number of instances where notice to individuals about access to records may be required in the future is unknown. The department now follows the court based procedures that would be supplanted in favor of a statutory process. It is assumed agency records managers would handle the matter with existing resources.

No data exists on local government costs about similar public records access.

Long-Range Fiscal Implications

Unknown.

Original Updated	Corre	cted	Supplemental
LRB Number 01-3774/1	Introduction	n Number	
Subject Access to public records; use of SS numbers; pricaller ID blocking; privacy impact statements; pla	soner activities; presc ce of certain trials; Di	cription and credit/de EG officers	bit card information;
Fiscal Effect			
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DOJ/ JoAnna Richard (608) 267-1932	JoAnna Richard (60	8) 267-1932	10/23/01

Copy to Rep. Powers (10-24-01)
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Fiscal Estimate Narratives DOJ 10/24/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

This bill appears to be a consolidation of many of the privacy proposals from the last few legislative sessions. It incorporates the provisions of AB 175 which limits the scope of the Woznicki decision. It also provides greater right of access to juvenile police and court records by other law enforcement agencies and other courts.

There should be no fiscal impact on the Department of Justice. DOJ already redacts social security numbers and other identifying information from many records and we advise other state agencies to do the same. This law would simply require DOJ and other state agencies to do what they are already doing in that area.

This bill requires the Department of Administration to provide privacy impact statements required under 13.0991. These would be similar to the fiscal notes that must now accompany legislation. The bill requires that either house of the Legislature may request DOA to order the preparation or privacy impact statement. However, DOA can "direct one or more state agencies or authorities to prepare a privacy impact statement with respect to that bill." Section 13.0991(3). Without experience in providing privacy impact statements, it is difficult for our department to quantify our costs. If this is similar to our experience with fiscal estimates, these costs should be able to be absorbed within existing operations.

X	Original		Updated		Corrected		Supplemental
LRB	Number	01-3774/1		Intro	duction Numbe	r	
Subjec	t		····	•		-	
Access caller I	to public red D blocking; p	cords; use of SS privacy impact st	numbers; prisoner atements; place of c	activitie ertain t	s; prescription and c rials; DEG officers	redit/d	ebit card information;
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Fiscal Estimate Narratives OCI 10/29/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject			-	

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

Sec. 601.423 Wis Stats requires OCI to prepare a social and financial impact report for the legislature for any proposed health insurance mandate. Any privacy impact statement that OCI is directed by the Department of Administration to prepare would be prepared under the same system using the criteria proposed in AB 459. No fiscal impact to the agency is expected that cannot be absorbed within the agency's budget.

OCI makes every effort to keep personal medical information private, but any medical records that are included in closed complaint files do become public records subject to Sec 19.35 (1) Wis Stats. This bill would require OCI to remove any social security number information included in those medical records prior to releasing the information. No fiscal impact to the agency is expected that cannot be absorbed within the agency's budget.

Local governments that self-insure their health insurance plans to employees would be required to alter the ID cards issued to their employees if the employee's SSN is visible on the ID card. OCI is not aware of any municipality that administers their own self-insured plan. Any costs involved for changes that may required due to this bill would be bourne by the third party administrator who may pass those associated administrative costs to the municipality. OCI is not able to determine the size or scope of those associated costs.

☑ Original	Updated Corrected	Supplemental
LRB Number 01-3774/1	Introduction Number	
Subject		
caller ID blocking; privacy impact sta	numbers; prisoner activities; prescription and credit/de atements; place of certain trials; DEG officers	bit card information;
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Local: No Local Government Costs Indeterminate 1. Increase Costs Permissive Mandator 2. Permissive Mandator	4. Decrease Revenue	vernment Village Cities Others WTCS Districts
Fund Sources Affected GPR FED PRO	Affected Ch. 20 Appro	opriations
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Fiscal Estimate Narratives DATCP 10/19/01

RB Number 01-3774/1	Introduction Number	Estimate Type Or i	ginal
ubject			
ccess to public records; use	e of SS numbers; prisoner activities; p	rescription and credit/debit ca	rd information:

Assumptions Used in Arriving at Fiscal Estimate

It is assumed this bill wil result in a minor increase in consumer complaints about telemarketer hang-up calls and a minor increase in complaints about telemarketers blocking caller id services. This bill, more significantly, will add additional levels of complexity to complaints already received by the Bureau of Consumer Protection. Telemarketing is the number five consumer complaint category and has been on a steady increase for the past four years generating over 700 written consumer complaints in 2000. The time to investigate the additional elements this bill proposes will require a 0.5 FTE investigator dedicated to telemarketing complaints.

This bill also restricts private information that can be released to the public. The Bureau of Consumer Protection has thousands of complaint records. Consumers who file complaints often send credit, banking, family and medical records with their complaints. Unlike many records, consumer complaints are not submitted or kept in a particular format. Each open records demand requires a manual review of the effected records for confidential information. The Bureau assumes a 0.5 FTE Program Assistant will be needed to preserve the confidentiality of private information held by the Bureau.

Long-Range Fiscal Implications

Continuing appropriation of \$39,300 and 1.0 FTE position will be necessary to comply with the requirements of this bill.

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

X	Original		Updated		Corrected		Supplemental		
LRB	Number	01-3774/1		Intro	duction Num	ber			
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A. Sta	te Costs by C	ategory							
Stat	e Operations -	Salaries and	Fringes		\$32,100	0	***		
(FTI	Position Cha	nges)			(1.0 FTE	()			
Stat	e Operations -	Other Costs			7,200	0			
Loc	al Assistance								
Aids	to Individuals	or Organizat	ions						
Т	OTAL State C	osts by Cate	egory		\$39,30	0	\$		
B. Sta	te Costs by S	ource of Fur	nds						
GPI	₹				39,30	0			
FED									
PRO	D/PRS			,					
SEC	S/SEG-S								
	te Revenues tax increase, c				will increase or	decrease	e state revenues		
	•				Increased Re	V	Decreased Rev		
GPI	R Taxes				4	3	\$		
Н—	R Earned								
FED									
——	D/PRS				· .				
-	S/SEG-S								
<u> </u>	OTAL State R	evenues				<u> </u>	\$		
			NET ANNUA	LIZED FISC					
					Stat		<u>Local</u>		
	CHANGE IN CO		*		\$39,30		\$		
NET C	CHANGE IN RE	VENUE				<u> </u>	\$		
		·							
Agen	cy/Prepared B	у .		Authorized	Signature		Date		
DATC	P/ Jim Rabbitt	(608) 224-49	065	Barb Knapp	(608) 224-4746		10/19/01		

LRB Number 01-3774/1	Introduction Number	·
Subject		,"
	S numbers, prisoner activities, prescription and credit/debit can tatements; place of certain trials; DEG officers	d information;
Fiscal Effect		,
State: No State Fiscal Effect Indeterminate Increase Existing Appropriations Decrease Existing Appropriations Create New Appropriations	Increase Existing Revenues Decrease Existing Revenues Revenues Decrease Costs - May be absorb within agency's I	e possible to budget No
Local: No Local Government Costs Indeterminate 1. Increase Costs Permissive Mandator 2. Decrease Costs Permissive Mandator	5.Types of Local Governm Units Affected Towns	e Cities s S
Fund Sources Affected	Affected Ch. 20 Appropriat	ions
☐ GPR ☐ FED ☐ PRO ☐	PRS SEG SEGS	
Agency/Prepared By	Authorized Signature	Date
DOR/ Dennis Collier (608) 266-577	73 Brian Pahnke (608) 266-2700	10/31/01
opy Powers to 10' Rep 31-2001	Sor Jersion	•

Fiscal Estimate Narratives DOR 10/31/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

The bill would restrict access to social security numbers that are contained on public records of the state and local governments. It would also require state agencies to prepare privacy impact statements on bills impacting on personal privacy.

The proposed restrictions on social security numbers are not expected to interfere with the Department of Revenue's administration of state taxes and in particular with enforcing compliance with those taxes. In addition, the proposed privacy impact statements could be prepared using existing resources.

Local governments may incur additional costs as a result of the proposed restrictions on access to social security numbers. However, the impact on their costs is not expected to be significant.

X	Original		Updated		Corrected		Supplemental
LRB	Number	01-3774/1		Intro	duction Num	ber	
Subject Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers							
Fiscal	Effect		. "			· ·	
XI	No State Fisc ndeterminate Increase E Appropria Decrease Appropria Create Ne	e Existing tions Existing	Revenue	s e Existing	absort		May be possible to ency's budget ⊠No
	ndeterminate I. Increase Incr	e Costs sive Mandato se Costs	3. Increase ry Permissiv 4. Decrease ry Permissiv	/e Mand Revenue	Units A Units A Into Co Into Co Into Co Into Co Into Co	unties	overnment Village ©Cities Others WTCS Districts
Fund S	Sources Affe R FED		PRS X SE	G 🖺 SE	Affected C EGS s.20.395(5)		opriations
Agenc	y/Prepared	Ву	Au	thorized (3ignature		Date
DOT/ J	ohn Alley (60	08) 266-0614	Ca	ırol Buckm	aster (608) 267-6	6979	10/31/01
CC	PY 81	int to	Dep.	Aw	ers (10-3	31-01)
		_	old "				·

Fiscal Estimate Narratives DOT 10/31/01

LRB Number	01-3774/1	Introduction Number	Estimate Type	Original
Subject				

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information: caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

LRB 3774/1 relates to disclosure of records and information, in most cases limiting access to information which may impact personal privacy.

DMV records are subject to federal privacy guidelines under the Driver Privacy Protection Act (DPPA). In general, the DPPA guidelines and existing statutes related to DMV records are at least as stringent as these proposed requirements. In fact LRB 3774/1 expands access to DMV collected social security numbers in limited situations.

There may be an indeterminable workload increase for DMV to manually provide records with social security numbers to individuals allowed to obtain them under this proposal.

DMV includes privacy impact information and analyses in the fiscal estimate process. Therefore the Privacy Impact Statement requirement in this proposal would have no additional workload impact.

The Division of State Patrol would not be impacted by the provisions of this bill related to juvenile offenders and juvenile criminal investigations because of its limited interaction and investigative authority relating to juveniles.

Long-Range Fiscal Implications

Indeterminable

X	Original		Updated		Corrected		Supplemental	
LRB	Number	01-3774/1		Introd	duction Num	nber		
Subje			-				,	
Acces caller	s to public re ID blocking;	ecords; use of SS privacy impact s	S numbers; priso atements; place	ner activities of certain to	s; prescription a rials; DEG office	ind credit/de ers	ebit card information;	
Fiscal	Fiscal Effect							
		e Existing ations Existing	Revenu Decreas Revenu	se Existing	absor		May be possible to ency's budget 図No	
	No Local Go Indetermina 1. Increas Permis 2. Decrea	se Costs sive 🛛 Mandato	3. Increase ry Permiss 4. Decrease	ive Mand e Revenue	Units A ⊠ I o atory ⊠ Co ⊠ So	ounties	overnment Village Cities Others WTCS Districts	
I —	Sources Aff		PRS 🛛 S	EG 🏻 SE	Affected C EGS 20.370(8)(I		opriations	
Agone	ov/Bronorad	- D.			Namatura		I Daniel	
	c y/Prepared .loe Polasek	-		oe Polasek ((608) 266-2794		Date 11/9/01	
100 HO	m Si	(608) 266-2794 POWERS 19-01) POWERS			15"			

Fiscal Estimate Narratives DNR 11/9/01

LRB Number	01-3774/1	Introduction Number	Estima	ate Type	Original	
Subject						

Subject

Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers

Assumptions Used in Arriving at Fiscal Estimate

Bill Summary:

This bill creates various prohibitions, restrictions and requirements, and makes changes in existing laws with respect to protection of personal privacy and security of personal information, and changes the place of trial for certain existing crimes. The only provisions with significant impact on the department are those under the heading "Access to public records containing personally identifiable information."

The bill requires the department to notify employees, who are the subjects of records requests regarding a wide range of human resources records, prior to the release of their records. The bill establishes a labor-intensive set of requirements on both the agency and the employees who are subjects of record requests. Each year the department receives approximately 120-150 requests for employee information. Under the bill, the department must respond to each of these requests by sending a notice to the affected employees by certified mail or personal delivery informing them of the information being requested and their right to get a court order barring the department from complying with the request. Then each of the employees will need to decide whether to seek an injunction against the agency to prevent release of the information.

Fiscal Estimate:

The section titled "Access to public records containing personally identifiable information" is the only part of this bill that is likely to have a significant fiscal impact on the department. There are two primary areas of impact, the cost of sending notices to employees and the cost to respond to employees after the notices have been sent.

Notification to employees: For purposes of estimating the cost of this bill, there are four kinds of employee record requests: individual, where only one person's records are being requested; small group, where the request pertains to 10-20 employees; large group, pertaining to 50-100 employees, and all employees, covering 3,000-5,000 individuals depending on the nature of the request. The total notifications required under this bill are shown below by type. These figures are based on current requests; it is possible that the number of requests could increase as a result of the publicity generated by this bill.

NOTIFICATIONS Number of requests Number of employee notifications Type Per Year Per request Per year Individual 15-20 1 15-20 Small group 50-60 10-20 500-1,200 Large group 50-60 50-100 2,500-6,000 All employees 5-10 3,000-5,000 15,000-50,000 Total 120-150 18,015-57,220

In total, between 18,000 and 57,000 notices would go to employees each year telling them that their records are being requested.

COSTS

Cost Element Amount Per Year Total Cost 1st class postage \$0.34 18,015-57,220 Certified mail fee \$2.10 notification letters Paper \$0.06 to employees Total mail expense \$2.50 \$45,038-\$143,050

Processing time 5 minutes (12/hr) 1,501-4,768 LTE salary \$8.50/hour hours to \$12,758-\$40,528 for LTE process outgoing salary Fringe benefits at 7.65% \$0.65/hour certified mail \$976-\$3,099 for LTE fringe Total staff expense \$9.15/hour \$13,734-\$43,627 total staff cost

Total Cost (Range) \$58,772-\$186,677 Average Cost (Mean) \$122,725

The total cost of supplies and services for these notifications would be between \$45,038 and \$143,050. At five minutes each, the staff time to process these notifications would be between 1,501 and 4,768 hours, for a total staff cost of between \$13,734 and \$43,627.

The range and average costs to send notifications would be:
Minimum \$45,038 supplies + \$13,734 salary & fringe = \$58,772
Maximum \$143,050 supplies + \$43,627 salary & fringe = \$186,677
Average (mean) \$94,044 supplies + \$28,681 salary & fringe = \$122,725

There would be a fiscal impact on local units of government, including county and municipal governments, but the impact cannot be estimated.

Long-Range Fiscal Implications

The costs listed in the fiscal worksheet assume the upper end of the estimated range of costs. However, it is possible that over time costs would grow beyond this estimate as people become more familiar with the requirements for formal notification and adjudication procedures established under the bill.

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

×	Original		Updated		Corrected		Supplemental	
LRB	Number	01-3774/	1	Intro	duction Nun	nber	÷	
Access	Access to public records; use of SS numbers; prisoner activities; prescription and credit/debit card information; caller ID blocking; privacy impact statements; place of certain trials; DEG officers							
	I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):							
II. Ann	I. Annualized Costs: Annualized Fiscal Impact on funds from:							
					Increased Cost	s	Decreased Costs	
A. Sta	te Costs by	Category						
Stat	e Operations	- Salaries and	l Fringes		\$43,60	0		
(FTE	E Position Ch	anges)			(0.2 FTE	Ξ)		
Stat	e Operations	- Other Costs			143,10	0		
Loca	al Assistance							
Aids	to Individual	s or Organizat	ions					
Т	TOTAL State Costs by Category				\$186,70	0	\$	
B. Sta	te Costs by	Source of Fu	nds					
GPF	}	١	-					
FED)							
PRO)/PRS							
SEC	S/SEG-S				186,70	0		
III. Sta (e.g., t	te Revenues ax increase,	s - Complete t , decrease in	his only whe license fee, e	n proposal ts.)	will increase or	r decrease	state revenues	
					Increased Re	ev	Decreased Rev	
GPF	R Taxes					\$	\$	
	REarned							
FED								
	D/PRS							
-	S/SEG-S							
<u> </u>	OTAL State	Revenues				\$	\$	
		1	NET ANNUAL	LIZED FISC	AL IMPACT			
					<u>Stat</u>	t <u>e</u>	<u>Local</u>	
NET C	HANGE IN C	COSTS			\$186,70	0	\$	
NET C	HANGE IN F	REVENUE				\$	\$	
	,							
Agend	y/Prepared	Ву		Authorized	Signature		Date	
DNR/	Joe Polasek	(608) 266-279	4	Joe Polasek	(608) 266-2794	ļ	11/9/01	

×	Original		Updated		Corrected		Supplemental
LRB	Number	01-3774/1		Intro	duction Nur	nber	
Subje	et						
Access caller I	s to public red D blocking; p	cords; use of SS rivacy impact s	S numbers; pri tatements; pla	soner activitie ce of certain t	s; prescription a rials; DEG offic	and credit/de ers	bit card information;
Fiscal	Effect						
Local:	No Local Gov Indeterminate	Existing tions Existing tions tions w Appropriation vernment Costs Costs	Reveins Reveins 3. Increa	ease Existing	abso Decr 5.Types Units	ease Costs - In within age Image Ima	_
	2. Decreas	ive Mandato se Costs ive Mandato	4. Decre	ssive Mand ase Revenue ssive Mand	latory	ounties chool stricts	Village Cities Others WTCS Districts
Fund S	Sources Affe PR FED		X PRS	SEG SE	Affected (EGS 20.530 (1)	Ch. 20 Appro (g)	opriations
Agenc	y/Prepared I	By		Authorized 6	Nametra		
	-	(608) 266-8878	0	Authorized S			Date
				bruce Reines	(608) 266-887	8	11/13/01
COP	Sent Pep. P	overs	15 (o)	04201	voca is	ره رم	1,40°, AB-621

Fiscal Estimate Narratives DEG 11/13/01

LRB Number 01-3774/1	Introduction Number	Estimate Type Or	iginal
Subject			
	f SS numbers; prisoner activities; pct statements: place of certain trial		ard information;

Assumptions Used in Arriving at Fiscal Estimate

The bill draft would require two positions in the Department of Electronic Government (DEG) be assigned to special duties. One position would serve as the State Privacy Officer and another position as the State Security Officer.

While existing DEG staff deal with both privacy and security the dedication of two staff to hold these positions may reallocate certain staff resource from other areas. Likewise, the Privacy Impact Statement review outline in the view would redirect staff effort from other services.

It should be noted that the bill calls for the designated officers to report to a "classified division administrator". That requirement may be problematic in that the Department of Electronic Government has only three unclassified division administrators under the statutes.

No data exists on local government costs.

Long-Range Fiscal Implications

Unknown