

Fiscal Estimate - 2003 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 03-3166/1	Introduction Number SB-246
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Subject
 Deadlines for certain agencies to issue permits

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Indeterminate	<input checked="" type="checkbox"/> Decrease Existing Revenues	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

Local:

<input type="checkbox"/> No Local Government Costs			
<input type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Towns <input type="checkbox"/> Village <input 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

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 DOR/ Jacek Cianciara (608) 266-8133	Authorized Signature Dennis Collier (608) 266-5773	Date 10/20/2003
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Fiscal Estimate Narratives

DOR 10/20/2003

LRB Number	03-3166/1	Introduction Number	SB-246	Estimate Type	Original
Subject					
Deadlines for certain agencies to issue permits					

Assumptions Used in Arriving at Fiscal Estimate

The bill requires an agency to promulgate rules establishing time periods within which it intends to approve or disapprove applications for specified licenses, permits and other approvals that the department issues. An agency may extend the period on the grounds that an application is incomplete, and must notify the applicant within 14 days that it will make such an extension.

The bill covers certain cigarette, tobacco and alcohol beverage permits issued by the Department. Under Tax 11.002 (4), Wis. Adm. Code, the Department has 15 days to issue business tax registration certificates to applicants for these applications, but there is no penalty if it fails to meet this deadline. Under the bill, if the Department does not issue the permit within the period established by rule, it must refund the fee. Also, the bill provides that when an application is not approved or denied within the period specified by rule, the applicant may treat the application as denied and pursue any rights available under Chapter 227, Wis. Stats. The Department would experience a revenue loss to the extent it fails to meet the deadline it establishes by rule under the bill and thus refunds the \$20 business tax registration fee.

The bill provides that if the Department extends the period for review of the application because of incomplete information, it must act on the application the day it receives the additional information from the applicant. Because it is not feasible for the Department to respond on the day it receives the additional information, due to the volume of mail it receives, the Department would realize a revenue loss from refunding business tax registration fees on all extended applications. An estimate of the number of such applications is not available.

For some licenses, permits and other approvals issued by state agencies, the bill provides for automatic approval if the agency fails to act within the period established by rule, including any authorized extension. These automatic approval provisions do not affect the Department of Revenue.

Long-Range Fiscal Implications