

Fiscal Estimate Narratives

DWD 8/2/2013

LRB Number	13-2173/2	Introduction Number	SB-223	Estimate Type	Original
Description Employer access to, and observation of, the personal Internet accounts of employees and applicants for employment; educational institution access to, and observation of, the personal Internet accounts of students and prospective students; landlord access to, and observation of, the personal Internet accounts of tenants and prospective tenants; and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill would prohibit an employer, educational institution, or landlord from requesting that an employee, applicant, student, prospective student, tenant, or prospective tenant grant access to, allow observation of, or disclose information that allows access to or observation of the personal Internet account of the employee, applicant, student, prospective student, tenant, or prospective tenant. It also prohibits retaliation against any person for exercising the right to refuse such a request, for opposing an unlawful practice under the bill, for filing a complaint or attempting to enforce that right, or for testifying or assisting in proceedings to enforce that right. The bill provides that any complaints about potential violations of the provisions of this bill be processed using the same system currently used by the Equal Rights Division for complaints under the fair employment Law (s. 111.39).

The department anticipates passage of this bill would result in roughly 200 additional complaints filed with the Equal Rights Division each year alleging violations of this bill. An Equal Rights Officer - Senior can investigate 144 complaints per year and therefore the department anticipates it would need at least 1.50 additional Equal Rights Officers - Senior to investigate and make determinations on these complaints at an annual cost of \$128,536 in salary, fringe benefits, supplies and service costs.

The Department anticipates that approximately 50 of these complaints will make it to the hearing stage, requiring the services of an Administrative Law Judge. An Administrative Law Judge can resolve approximately 144 cases per year and therefore the department anticipates it would need 0.5 additional Administrative Law Judges at an annual cost of \$66,678 per year to cover salary, fringe benefits, supplies and services costs.

In addition to these annual costs, there would be one-time costs. The one-time cost for the Division to print rules, statues, and other publications related to these materials is approximately \$2,000. The Division also anticipates that adding these new "bases" to our enforcement provisions would require one-time expenditures for re-programming of database software to track these cases of approximately \$50,000.

The department does not anticipate that the bill would increase costs to local units of government.

Long-Range Fiscal Implications

The increase in case load for the department is likely to continue for the foreseeable future.

Fiscal Estimate Worksheet - 2013 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Employer access to, and observation of, the personal Internet accounts of employees and applicants for employment; educational institution access to, and observation of, the personal Internet accounts of students and prospective students; landlord access to, and observation of, the personal Internet accounts of tenants and prospective tenants; and providing a penalty			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
The department will incur a one-time cost of approximately \$2,000 for the printing of informational materials and \$50,000 for software programming changes for a total one-time cost of \$52,000.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$195,214	\$
	(FTE Position Changes)	(2.0 FTE)	
	State Operations - Other Costs	52,000	
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$247,214	\$
B. State Costs by Source of Funds			
	GPR	247,214	
	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	\$247,214	\$
	NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		Authorized Signature	Date
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