

Fiscal Estimate Narratives

DATCP 7/24/2017

LRB Number	17-3586/2	Introduction Number	AB-0384	Estimate Type	Original
Description the expiration of administrative rules					

Assumptions Used in Arriving at Fiscal Estimate

Administrative Rulemaking – The bill adds requirements to Wis. Stat. ch. 227, specifically to the process of promulgating rules. The bill creates an expiration for each rule after 7 years, requiring readoption every 7 years. The bill requires the department submit a readoption notice for each rule at least a year prior to expiration. The required readoption notices may only be submitted between January 1st and March 1st of the year preceding the expiration date. In the event the JCRAR objects to readoption, the department must proceed through the full rule-making process to adopt the rule. The bill allows the JCRAR to extend the effective date of a rule for up to one year to accommodate readoption. This bill requires the department, for a readoption, to draft an analysis of how actual costs of the rule compare to the economic impact analysis drafted for the previous promulgation. The bill requires a schedule be established for the expiration of code chapters, beginning January 1, 2020, and all code chapters expiring by January 1, 2027.

Fiscal Impact:

Annual Costs: It is unknown whether the bill will increase costs to the Department.

The Department currently has 99 rule chapters. A few of these chapters are currently in the process of repeal, but approximately 95 rules would need to be readopted. The Department works efficiently to keep rules current through the rule-making process, however, it is likely that the expiration of all Department rules will lead to additional rule-making. Additionally, the new timelines for expiration and readoption, may create a need for additional resources in order to readopt or promulgate all Department rules. The estimate of fiscal impact includes costs associated with 1) preparing readoption notices for all Department rules; 2) preparing analysis of actual economic impact for each rule; 3) managing the schedule and coordination of readoption of rules.

Long-Range Fiscal Implications