

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

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|---|---|-------------------------|
| LRB Number 19-0045/1 | Introduction Number AB-0319 | |
| Description discrimination in employment, housing, public accommodations, education, insurance coverage, jury duty, and the receipt of mental health or vocational rehabilitation services | | |
| Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs | | |
| Local: <input type="checkbox"/> No Local Government Costs <input checked="" 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 checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> School Districts <input checked="" type="checkbox"/> WTCS Districts | | |
| Fund Sources Affected Affected Ch. 20 Appropriations <input checked="" type="checkbox"/> GPR <input checked="" type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.445 (1) (a), (5) (a), (5) (n) | | |
| Agency/Prepared By DWD/ Thomas Goodwyn (608) 267-9058 | Authorized Signature Danielle Williams (608) 266-2284 | Date 7/8/2019 |

Fiscal Estimate Narratives

DWD 7/8/2019

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Assumptions Used in Arriving at Fiscal Estimate

This bill defines a person's gender-related identity, gender-related appearance, gender-related expression, or gender-related behavior, regardless of the person's assigned sex at birth or gender identifiers on official documents issued by a federal, state, or local government agency.

The bill prohibits the University of Wisconsin System, the Technical College System, public elementary and secondary schools, and charter schools from discriminating against a student based on the protected status of the student's parent and on the basis of the student's gender identity or gender expression. This bill adds gender identity or gender expression as a prohibited basis for discrimination in employment, housing, and the equal enjoyment of a public place of accommodation or amusement; and prohibits exclusion of a person from jury duty on the basis of the person's gender identity or gender expression. This bill also removes sex as a bona fide occupational qualification. This bill prohibits motor carriers, automobile insurers, and real estate brokers and salespersons from discriminating against a person on the basis of sexual orientation, gender identity, or gender expression; prohibits discrimination on the basis of sexual orientation, gender identity, or gender expression in the provision of vocational rehabilitation or mental health services; and prohibits the UW System Board of Regents from investing gifts, grants, and bequests in companies that practice discrimination based on sexual orientation, gender identity, or gender expression.

The bill also generally prohibits an insurer from discriminating against a person on the basis of age, sex, residence, race, color, creed, religion, national origin, ancestry, marital status, occupation, sexual orientation, gender identity, or gender expression.

Wisconsin does not specifically include gender identity or expression in the Fair Employment Act (FEA); however, Wisconsin FEA does prohibit harassment and other discrimination based on sexual orientation, sex, and sex stereotyping. In most cases, this prohibition extends to discrimination based on gender identity or expression currently. This legislation would affirm protections for gender identity or expression. Individuals and employers would better understand the scope of the law, how to comply, and if discrimination occurs how to pursue redress.

The Department of Workforce Development Equal Rights Division does not anticipate a significant workload increase in additional complaints alleging discrimination. This bill creates one-time costs to the departments' Equal Rights Division and Division of Vocational Rehabilitation to revise and reprint existing documentation and publications related to discrimination and / or services. The total estimate of these one-time costs is \$14,000 and can be absorbed within the agency's current operating budget.

Similar to the department's Equal Rights Division, local government counterparts may experience an increase in discrimination complaints. In addition, local governments may need to update documentation and publications including official documents. These costs are indeterminate at this time.

Long-Range Fiscal Implications