

### Fiscal Estimate - 2021 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 21-4211/1	<b>Introduction Number</b> AB-0530
<b>Description</b> censorship on social media platforms and providing a penalty	
<b>Fiscal Effect</b>	
<b>State:</b>	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues
<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
<b>Local:</b>	
<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others      0 <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
<b>Affected Ch. 20 Appropriations</b>	
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>
DATCP/ David Woldseth (608) 224-5164	Jason Gherke (608) 224-4748
<b>Date</b>	
10/21/2021	

## Fiscal Estimate Narratives

DATCP 10/21/2021

LRB Number	21-4211/1	Introduction Number	AB-0530	Estimate Type	Original
<b>Description</b> censorship on social media platforms and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This bill creates requirements and prohibitions for social media platforms and currently the Department does not regulate social media platforms, so outreach and education would need to be conducted with both consumers and businesses that meet the definition of a social media platform to inform them of their rights and responsibilities under the regulations. Largely, these social media platforms would not be Wisconsin-based businesses. DATCP would establish new processes related to educate newly regulated social media platforms, handle related complaints, and investigate and enforce when there are violations. Since Wisconsin enforces consumer protection laws against out-of-state businesses regularly, the enforcement would not be atypical in jurisdiction.

Since the bill grants DATCP authority to investigate under Chapter 100, it is not clear if DATCP would need or require any rulemaking. If rulemaking is required, DATCP would conduct it with current staff.

Under Chapter 100, DATCP would refer cases to the Attorney General's office or to local prosecutors if needed based on the investigations of consumer complaints. The bill does grant users of social media platforms private rights of action. Should DATCP refer a case, prosecution costs would be borne by other government agencies; in private rights of action, the cost would be borne by the litigant.

Since this represents a new line of enforcement for DATCP, it is not clear how many complaints will be filed. The Department plans to absorb costs but may need to seek additional positions in future budgets.

The Department therefore believes the fiscal effect of this bill to be unknown at this time.

### Long-Range Fiscal Implications

Since this represents a new line of enforcement for DATCP, it is not clear how many complaints will be filed. The Department plans to absorb costs but may need to seek additional positions in future budgets.