



## Fiscal Estimate Narratives

DATCP 10/21/2021

LRB Number <b>21-3397/1</b>	Introduction Number <b>SB-525</b>	Estimate Type <b>Original</b>
<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.