

Fiscal Estimate Narratives

DWD 2/20/2024

LRB Number	23-5429/1	Introduction Number	AB-1000	Estimate Type	Original
Description adopting gender-neutral terminology and incorporating gender-neutral marriage and parentage rights					

Assumptions Used in Arriving at Fiscal Estimate

This bill recognizes same-sex marriage to create agreement between Wisconsin statutes and the holding of the U.S. Supreme Court in Obergefell v. Hodges, 135 S. Ct. 2584, 192 L. Ed. 2d 609 (2015), which recognizes that same-sex couples have a fundamental constitutional right to marriage. The bill also recognizes legal parentage for same-sex couples under certain circumstances and adopts gender neutral parentage terminology.

The department estimates no fiscal effect as a result of the bill's proposed statutory changes. Costs to update publications would be absorbable within the department's current operating budget.

Pertinent to the Department of Workforce Development (DWD), the proposed legislation amends statutes relating to Worker's Compensation, Employment Regulations, and Employment Relations. References to "husband", "wife", "father(-in-law)", and "mother(in-law)" are replaced by gender neutral terms, such as "spouse" or "parent(-in-law)." "Spouse" is defined as "the person to whom an employee is legally married". The marital status "widowed" is replaced by "a surviving spouse." Under Worker's Compensation death benefits, dependent definitions are changed to "A married person upon his or her spouse with whom he or she is living at the time of the spouse's death." As noted above, these changes are estimated to have minimal to no impact to department operations.

Local government employers and local government counterparts to the DWD Equal Rights Division may need to update documentation and publications to include gender neutral terms. The fiscal effect of these changes is indeterminate at this time.

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Long-Range Fiscal Implications