

Fiscal Estimate - 2023 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 23-1941/1	Introduction Number AB-0092
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Description
 creation of a Joint Committee on State Mandates and required funding of state mandates

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
- Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs 3. Increase Revenue
 - Permissive Mandatory Permissive Mandatory
 - 2. Decrease Costs 4. Decrease Revenue
 - Permissive Mandatory Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By	Authorized Signature	Date
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Fiscal Estimate Narratives

WTCS 3/16/2023

LRB Number	23-1941/1	Introduction Number	AB-0092	Estimate Type	Original
Description creation of a Joint Committee on State Mandates and required funding of state mandates					

Assumptions Used in Arriving at Fiscal Estimate

AB 92 creates a legislative Joint Committee on State Mandates. The bill requires any bill placing a statutory requirement on a local governmental unit be referred to the committee and may not be considered further until the committee submits a report or 30 days have lapsed. If the committee report concludes a bill has a negative uncompensated fiscal effect on local governmental units, and that the mandate is wholly state-imposed, the committee must offer an amendment to the bill appropriating funds to offset the cost of the mandate. The bill prohibits the legislature from enacting a bill that contains a mandate unless the bill has had a public hearing before the committee or contains an appropriation to provide funding. If a bill that contains a mandate does not provide funding, the mandate in the enacted bill may not be enforced until the funding is provided.

The bill requires the committee to review existing mandates. The Legislative Fiscal Bureau is required to identify all mandates, excluding mandates having a minimal fiscal effect, and submit to the committee by January 1, 2025. The committee must introduce one or more bills amending the statutes repealing all mandates that are wholly state-imposed and that have a negative uncompensated fiscal effect on local governmental units.

In addition, the bill prohibits a state agency from promulgating a rule or taking an action that imposes a mandate and from taking an action required by law if the action would impose a mandate, other than mandates that have a minimal fiscal effect, unless there is sufficient funding.

Of note, it is not clear that the 16 technical colleges fall under the definition of local unit of government as referenced in the bill (s. 19.42(1u)). The bill does not define "minimal fiscal effect" and it is not known how state funding otherwise appropriated to a local unit of government will be treated in determining whether a mandate is sufficiently funded. Given these unknowns, the fiscal impacts of AB 92 on the local WTCS Districts (i.e., the 16 technical colleges) cannot be determined.

Long-Range Fiscal Implications