

### Fiscal Estimate - 2023 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>23-0745/1</b>	<b>Introduction Number</b> <b>SB-0091</b>
<b>Description</b> creation of a Joint Committee on State Mandates and required funding of state mandates	
<b>Fiscal Effect</b>	
<b>State:</b>	
<input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input 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 type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
<b>Local:</b>	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <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 <input type="checkbox"/> School Districts <input checked="" 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>
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	<b>Date</b>
	3/16/2023

## Fiscal Estimate Narratives

WTCS 3/16/2023

LRB Number	<b>23-0745/1</b>	Introduction Number	<b>SB-0091</b>	Estimate Type	<b>Original</b>
<b>Description</b> creation of a Joint Committee on State Mandates and required funding of state mandates					

### Assumptions Used in Arriving at Fiscal Estimate

SB 91 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 SB 91 on the local WTCS Districts (i.e., the 16 technical colleges) cannot be determined.

### Long-Range Fiscal Implications