Wisconsin Department of Administration
Division of Executive Budget and Finance

Fiscal Estimate - 2025 Session

[X] Original [ ] Updated [ ] Corrected [ ] Supplemental

LRB Number **25-0565/1**	Introduction Number **AB-0274**

Description
the expiration of administrative rules

Fiscal Effect

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

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

Fund Sources Affected
[ ] GPR [ ] FED [X] PRO [ ] PRS [ ] SEG [ ] SEGS

Affected Ch. 20 Appropriations

Agency/Prepared By	Authorized Signature	Date
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Fiscal Estimate Narratives

PSC 6/19/2025

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Description the expiration of administrative rules		

Assumptions Used in Arriving at Fiscal Estimate

Under current law, agencies promulgate permanent administrative rules when they are granted rule-making authority under the statutes. Once promulgated, these rules remain in effect indefinitely unless repealed (by rulemaking or by legislation) or amended by the agency or suspended by the Joint Committee for Review of Administrative Rules (JCRAR).

This bill requires the expiration of each chapter of permanent rules in the Wisconsin Administrative Code after seven years, unless the chapter is readopted by the agency through the readoption process established under this bill. The bill also requires JCRAR to establish a schedule for the expiration of all existing code chapters that are in effect on the effective date of the bill. Under the bill, in the year before a code chapter expires, an agency may send a readoption notice to JCRAR and the appropriate standing committees proposing to readopt the chapter. If no member of JCRAR or the standing committee object to the readoption, the chapter is considered readopted, and no further action is required of the agency. If a member objects, the chapter expires on its expiration date unless the agency promulgates a rule to readopt the chapter using the standard rule-making process. Under the bill, JCRAR may also extend the effective date of the chapter set to expire for up to one year to accommodate readoption of the chapter through the standard rule-making process. Finally, the bill requires agencies to avoid the use in rules of words or phrases that are outdated or that are now understood to be offensive or derogatory.

The fiscal impact to the Public Service Commission (PSC) is indeterminate primarily because the PSC is unable to accurately predict the frequency of objections. At a minimum, the PSC would have significantly increased workload to develop required materials for JCRAR review of rules scheduled for expiration under this bill. Additional rule-making workload, including but not limited to, economic analyses and Commission proceedings, is dependent on the number of JCRAR or standing committee objections to readoption of the PSC's chapters of permanent rules in the Wisconsin Administrative Code.

Long-Range Fiscal Implications