

## Fiscal Estimate - 2025 Session

 Original     Updated     Corrected     Supplemental

LRB Number <b>25-2507/1</b>		Introduction Number <b>AB-0275</b>	
<b>Description</b> challenges to the validity of administrative rules and making an appropriation			
<b>Fiscal Effect</b>  <b>State:</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> No State Fiscal Effect  <input checked="" type="checkbox"/> Indeterminate  <div style="display: flex;"> <div style="width: 50%;"> <input type="checkbox"/> Increase Existing Appropriations  <input type="checkbox"/> Decrease Existing Appropriations  <input type="checkbox"/> Create New Appropriations           </div> <div style="width: 50%;"> <input type="checkbox"/> Increase Existing Revenues  <input type="checkbox"/> Decrease Existing Revenues           </div> </div> </div> <div style="width: 50%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget  <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Yes  <input type="checkbox"/> No           </div> <input type="checkbox"/> Decrease Costs         </div> </div>			
<b>Local:</b> <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;">         1. <input type="checkbox"/> Increase Costs  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory       </div> <div style="width: 33%;">         3. <input type="checkbox"/> Increase Revenue  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory       </div> <div style="width: 33%;">         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 type="checkbox"/> WTCS Districts       </div> </div> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;">         2. <input type="checkbox"/> Decrease Costs  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory       </div> <div style="width: 33%;">         4. <input type="checkbox"/> Decrease Revenue  <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory       </div> </div>			
<b>Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input checked="" type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		<b>Affected Ch. 20 Appropriations</b> 20.445(1)(kc)	
<b>Agency/Prepared By</b>  DWD/ Lisa Hollman (608) 405-4477		<b>Authorized Signature</b>  Lee Sensenbrenner (608) 405-4202	
		<b>Date</b>  6/13/2025	

## Fiscal Estimate Narratives

DWD 6/13/2025

LRB Number	<b>25-2507/1</b>	Introduction Number	<b>AB-0275</b>	Estimate Type	<b>Original</b>
<b>Description</b> challenges to the validity of administrative rules and making an appropriation					

### Assumptions Used in Arriving at Fiscal Estimate

Current law allows a court in a proceeding for judicial review of an agency's administrative rule or guidance document to declare the rule or guidance document invalid if the court finds that it violates constitutional provisions or exceeds the statutory authority of the agency or was promulgated or adopted without compliance with statutory rule making or adoption procedures.

Under this bill, if a court declares a rule or guidance document invalid, the court must award attorney fees and costs to the party that asserted the invalidity of the administrative rule or guidance document. The bill also specifies the sum sufficient appropriations from which the attorney fees and costs are paid.

The fiscal impact of this bill is indeterminate.

The department carefully considers the validity of its rules before it promulgates them. However, it is possible that the proposed bill could encourage individuals or organizations to challenge the rules, resulting in the department expending additional time and resources to defend its rules, but the magnitude of increased attorney workload and resulting costs is indeterminate at this time.

### Long-Range Fiscal Implications