

Fiscal Estimate - 2025 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 25-2509/1	Introduction Number AB-0276
Description statements of scope for administrative rules	
Fiscal Effect State: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input checked="" type="checkbox"/> No State Fiscal Effect <input 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: 33%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div> <div style="width: 33%;"> <input type="checkbox"/> Decrease Costs </div> </div> Local: <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 2. <input type="checkbox"/> Decrease 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 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 33%;"> 5. Types of Local Government Units Affected <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> Towns <input type="checkbox"/> Counties <input type="checkbox"/> School Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts </div> <div style="width: 33%;"> <input type="checkbox"/> Cities <input type="text" value="0"/> </div> </div> </div> </div>	

Fiscal Estimate Narratives

DOC 6/20/2025

LRB Number	25-2509/1	Introduction Number	AB-0276	Estimate Type	Original
Description statements of scope for administrative rules					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, in order to promulgate a rule, an agency must submit a statement of scope for the proposed rule for review by the Department of Administration (DOA) and approval by the governor. Once the governor approves the statement, the agency must send the approved statement of scope to the Legislative Reference Bureau (LRB) for publication in the Wisconsin Administrative Register before continuing with the rule promulgation process. A statement of scope expires after 30 months, after which the agency may not promulgate any rule based on that statement of scope that has not been submitted for legislative review by the expiration date.

This bill would do the following:

1. Limits an agency to promulgating either a permanent or an emergency rule for a given statement of scope and requires the agency to specify in a statement of scope whether it is for a proposed emergency rule or for a proposed permanent rule.
2. Limits an agency to promulgating one permanent rule or one emergency rule per statement of scope.
3. Provides that a statement of scope for an emergency rule expires after six months and provides that when a statement of scope for an emergency rule expires, an agency may not promulgate an emergency rule based upon that statement of scope. The bill retains the 30-month expiration under current law with respect to statements of scope for proposed permanent rules

Were these changes enacted, the Department of Corrections (DOC) may need to devote more staff to working on administrative rules, as it would no longer be possible for a single statement of scope to be used for multiple proposed rules, and any statements of scope for emergency rules would expire sooner than under current law. DOC anticipates that any additional workload could be absorbed by existing staffing, given the Department's limited usage of the emergency rulemaking process.

Long-Range Fiscal Implications