ADMINISTRATIVE RULES
FISCAL ESTIMATE
AND ECONOMIC IMPACT ANALYSIS

Type of Estimate and Analysis

☒ Original ☐ Updated ☐ Corrected

Administrative Rule Chapter, Title and Number

Ch. ATCP 1, Subch. VII

Subject

Discretion in enforcement of rule violations by small businesses

Fund Sources Affected	Chapter 20 , Stats. Appropriations Affected
☐ GPR ☐ FED ☐ PRO ☐ PRS SEG SEG-S	None

Fiscal Effect of Implementing the Rule

☒ No Fiscal Effect ☐ Indeterminate	☐ Increase Existing Revenues ☐ Decrease Existing Revenues	☐ Increase Costs ☐ Could Absorb Within Agency's Budget ☐ Decrease Costs

The Rule Will Impact the Following (Check All That Apply)

☐ State's Economy ☐ Local Government Units	☐ Specific Businesses/Sectors ☐ Public Utility Rate Payers

Would Implementation and Compliance Costs Be Greater Than $20 million?

☐ Yes ☒ No

Policy Problem Addressed by the Rule

This rule complies with the requirements of s. 227.04 (2) (b) created by 2011 Wis. Act 46, which requires each state agency to "establish by rule, reduced fines and alternative enforcement mechanisms for minor violations of administrative rules made by small businesses", and which requires that the rule include a definition of "minor violation".

Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This rule will not increase any costs for businesses. The rule may produce an economic benefit for small businesses that commit minor violations of DATCP regulations when discretion is exercised to forego formal sanctions or to seek reduced sanctions.

Local Governments

This rule will not impact local governments. Local governments will not have any implementation or compliance costs.

Utility Rate Payers

The rule will have no impact on utility rate payers.

General Public

This rule will have no impact on the general public.

Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Benefits

This rule may benefit small businesses that commit minor violations of DATCP rules.

Alternatives
Adoption of this rule is required by the provisions of s. 227.04 (2) (b).
Long Range Implications of Implementing the Rule
There are no long range implications.
Compare With Approaches Being Used by Federal Government
Federal agencies exercise similar enforcement discretion.
Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)
Agencies in surrounding states exercise similar enforcement discretion. <u>Comments Received in Response to Web Posting and DATCP Response</u> No comments were received in response either to the posting on the DATCP external website or the statewide administrative rules website.