



2003 ASSEMBLY BILL 81

February 20, 2003 – Introduced by Representatives WIECKERT, GRONEMUS, MUSSER, HINES, KRAWCZYK, HAHN, ALBERS, HUEBSCH, SERATTI, HUNDERTMARK, GIELOW, BIES, OWENS, LADWIG, MCCORMICK, TOWNS, VAN ROY, TOWNSEND, STONE, J. FITZGERALD, FREESE and VRAKAS, cosponsored by Senators KANAVAS, A. LASEE, WELCH, STEPP, REYNOLDS and LEIBHAM. Referred to Committee on Small Business.

1 **AN ACT** *to create* 13.0992 of the statutes; **relating to:** preparation of economic
2 impact statements for bills and proposed administrative rules that would have
3 a direct economic impact on the private sector.

Analysis by the Legislative Reference Bureau

This bill requires the preparation of statements describing the direct economic impact by bills or proposed rules on the private sector. Each majority leader and each minority leader is authorized to request a statement on one bill or proposed rule each year. It applies to bills and proposed rules that apply specifically to a business or that affect businesses differently than governments or other entities. The requirements of the bill are designed to parallel the current requirements contained in the statutes and the joint rules of the legislature for the preparation of statements describing the fiscal impact of legislation.

It directs the Department of Administration to assign the preparation of a statement to the appropriate agency or authority. It establishes a deadline for the preparation of a statement and requirements for its distribution. The bill states that a standing committee may not hold a public hearing on, or report a bill or proposed rule-making order for which an economic impact statement is required, before receipt of the statement.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 13.0992 of the statutes is created to read:

2 **13.0992 Economic impact statements. (1)** In this section:

3 (a) “Agency” means an office, department, agency, institution of higher
4 education, association, society, or other body in state government created or
5 authorized to be created by the constitution or any law, which is entitled to expend
6 moneys appropriated by law, including the legislature and the courts, but not
7 including an authority.

8 (b) “Authority” means a body created under ch. 231, 232, 233, 234, or 235.

9 (c) “Have a direct impact on the private sector,” when referring to a bill, means
10 to do any of the following:

- 11 1. Apply directly and specifically to the private sector.
- 12 2. Affect the private sector differently than governments or other entities.
- 13 3. Affect individual businesses differently than other businesses.

14 **(2)** Each year, the senate majority leader, the senate minority leader, the
15 assembly majority leader, and the assembly minority leader may each, subject to the
16 rules of that house or joint rules of the legislature, request the department of
17 administration to order the preparation of one economic impact statement with
18 respect to any bill or any proposed rule-making order before that house, either in its
19 original form or, if it is a bill, as affected by one or more amendments. If a majority
20 or minority leader so requests, the chief clerk of that house shall thereupon request
21 the legislative reference bureau to transmit a copy of that bill and any affected

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1 amendments, or the legislative council staff to transmit a copy of the proposed
2 rule-making order, to the department of administration.

3 (3) Upon receipt of a bill or rule-making order under sub. (2), the department
4 of administration shall direct one or more agencies or authorities to prepare an
5 economic impact statement with respect to the bill or order. Each statement shall
6 describe the direct impact on the private sector that would result from enactment of
7 the bill or promulgation of the rule.

8 (4) Each agency or authority that is directed to prepare an economic impact
9 statement under sub. (3) shall provide the statement to the department of
10 administration within 10 working days after the date on which the agency or
11 authority receives the direction, but the department of administration, on a limited
12 basis only and upon an agency's or authority's request received before the end of the
13 10-day period and applicable to only one economic impact statement, may extend the
14 period for the specified economic impact statement to not more than 20 working days
15 if the statement necessitates extended research. Whenever the extension is granted,
16 the department of administration shall immediately notify the legislative reference
17 bureau, if it is on a bill, or the legislative council staff, if it is on a proposed
18 rule-making order.

19 (5) Upon receiving an economic impact statement under sub. (4), the
20 department of administration shall transmit it to the legislative reference bureau,
21 which shall transmit one copy to the leader requesting the statement, one copy to the
22 principal author of the bill, and one copy to the chief clerk of the house of the
23 legislature in which the bill originated or of the house that is considering the
24 proposed rule. In case of bills, the statement shall be reproduced and distributed as
25 are amendments.

