

Fiscal Estimate Narratives

DHS 5/25/2017

LRB Number	17-1207/1	Introduction Number	AB-0317	Estimate Type	Original
Description review by state agencies of administrative rules and enactments; an expedited process for repealing rules an agency no longer has the authority to promulgate; retrospective economic impact analyses for rules; and reporting by the Legislative Reference Bureau on rules in need of revision					

Assumptions Used in Arriving at Fiscal Estimate

AB 317 deals with the review and potential repeal of existing rules in the Agency's Administrative Code.

Review

For rules affected by legislative enactments, the Agency must review said rules and determine if the enactment eliminated or restricted the agency's associated promulgation authority, rendered the rule obsolete, unnecessary, or not in conformity with statute, or requires additional rulemaking.

For existing rules, the Agency must review said rules and submit a report to the Joint Committee for Review of Administrative Rules (JCRAR) detailing those which are, or have been rendered, unauthorized, restricted, unnecessary, duplicative, or economically burdensome. The bill's language can be considered ambiguous as to whether the Agency would be expected to review only the rules added to the Administrative Code during the biennium, or the Department's entire Administrative Code, which would affect the fiscal impact of the bill. The report would include actions to address each of the rules identified by the aforementioned criteria, as well as a list of rules from the previous biennium not included in that current list.

In addition, the bill allows JCRAR to direct the Agency to prepare a retrospective economic impact analysis for any of the agency's published rules, which would include a comparison of a retrospective analysis of the economic impact of the rule with the analysis created when the rule was proposed.

Repeal

If any rules are found under the aforementioned review processes to be unauthorized, unnecessary, or economically burdensome, the bill includes an expedited process by which the Agency must petition to repeal them.

The agency estimates that standard review of published rules and rules affected by recent legislative enactments could be incorporated into the Agency's current workload using existing resources, provided the biennial report only requires the review of rules published during that biennium. However, should the report require the review of all existing DHS rules, the Department would require an additional 1.0 FTE GPR Program & Policy Analyst Advance, with a cost of \$79,800 GPR per year and a one-time cost of \$2,500 GPR for office set-up. Also, if the JCRAR requests retrospective economic impact analyses of existing DHS rules, Department workload would increase. It is not possible to estimate what the precise increase in workload associated with JCRAR requests would be.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2017 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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 review by state agencies of administrative rules and enactments; an expedited process for repealing rules an agency no longer has the authority to promulgate; retrospective economic impact analyses for rules; and reporting by the Legislative Reference Bureau on rules in need of revision

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

One-time office set-up cost of \$2,500 GPR

II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs	Decreased Costs

A. State Costs by Category			
	State Operations - Salaries and Fringes	\$67,800	\$
	(FTE Position Changes)	(1.0 FTE)	
	State Operations - Other Costs	12,000	
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$79,800	\$

B. State Costs by Source of Funds			
	GPR	79,800	
	FED		
	PRO/PRS		
	SEG/SEG-S		

III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)

	Increased Rev	Decreased Rev
	\$	\$
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$

NET ANNUALIZED FISCAL IMPACT

	State	Local
NET CHANGE IN COSTS	\$79,800	\$
NET CHANGE IN REVENUE	\$	\$

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