

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-1564/1	Introduction Number SB-038				
Description medical use of marijuana, the regulation of marijuana distribution entities, requiring the exercise of rule-making authority, making appropriations, and providing a criminal penalty					
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriations <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs					
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory					
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					
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Fund Sources Affected</td> <td style="width: 50%;">Affected Ch. 20 Appropriations</td> </tr> <tr> <td> <input checked="" type="checkbox"/> GPR <input checked="" type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.445(1)(a), 20.445(1)(n) </td> <td></td> </tr> </table>		Fund Sources Affected	Affected Ch. 20 Appropriations	<input checked="" type="checkbox"/> GPR <input checked="" type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.445(1)(a), 20.445(1)(n)	
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Agency/Prepared By DWD/ Joe Dvorak (608) 267-6969	Authorized Signature Georgia Maxwell (608) 266-2284	Date 3/3/2017			

Fiscal Estimate Narratives

DWD 3/3/2017

LRB Number	17-1564/1	Introduction Number	SB-038	Estimate Type	Original
Description medical use of marijuana, the regulation of marijuana distribution entities, requiring the exercise of rule-making authority, making appropriations, and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

Current law prohibits individuals from manufacturing, distributing, or delivering marijuana; possessing marijuana with the intent to manufacture, distribute, or deliver; and possessing or attempting to possess drug paraphernalia with the intent to produce, distribute, or use a controlled substance.

This bill creates a medical use defense against prosecution and forfeiture actions for individuals and their primary caregivers who register with the Department of Health Services (DHS) as having a debilitating medical condition or treatment. Under the bill, individuals who possess a valid registration identification card would be protected from marijuana-related arrest or prosecution, provided certain criteria are met. They include possessing no more than a statutorily defined amount; forgoing the operation of a motor vehicle or conduct endangering the health or well-being of others; and forgoing use on school busses, public transit, or school premises. The bill requires DHS to establish a registry for individuals; provide identification cards provided statutorily thresholds are met; license and regulate dispensaries to facilitate use; and promulgate rules allowing entities to grow and distribute marijuana to dispensaries. Finally, the bill changes state marijuana laws. Federal law prohibits marijuana manufacturing, delivery, and possession and applies to intrastate and interstate violations.

This bill would affect the Department of Workforce Development's Equal Rights, Unemployment Insurance, and Worker's Compensation divisions. The bill modifies Wisconsin's Fair Housing Laws to include affected individuals as a protected class from discrimination. Incidents of alleged discrimination against these individuals are investigated and ruled on by the Equal Rights division. The addition of this new class would minimally increase caseload, but this is absorbable at current staffing levels. For Equal Rights, there would also be a one-time expense of \$5,000 to update and reprint existing publications relating to Wisconsin's Fair Housing Laws. In addition, the Unemployment Insurance division would also need to update related publications, but the division can absorb the cost of the process change within their normal operating budget. Finally, the effect of the bill on Workers Compensation laws would be subject to court decisions. Consequently, the fiscal effect on the Worker's Compensation division's program administration within DWD is presently indeterminate.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2017 Session

Detailed Estimate of Annual Fiscal Effect

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I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): For Equal Rights, there would be a one-time expense of \$5,000 to update and reprint existing publications relating to Wisconsin's Fair Housing Laws.		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs Decreased Costs	
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds		
GPR		
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		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By	Authorized Signature	Date
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