

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 17-3272/1	<b>Introduction Number</b> SB-626				
<b>Description</b> discrimination based on arrest or conviction record under the fair employment law					
<b>Fiscal Effect</b>					
<b>State:</b> <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations  <input type="checkbox"/> Decrease Existing Appropriations  <input type="checkbox"/> Create New Appropriations                 </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues  <input type="checkbox"/> Decrease Existing Revenues                 </div> <div style="width: 30%;"> <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget  <div style="display: flex; justify-content: space-around; font-size: small;"> <input checked="" type="checkbox"/> Yes      <input type="checkbox"/> No                     </div> <input type="checkbox"/> Decrease Costs                 </div> </div>					
<b>Local:</b> <input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">                 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: 30%;">                 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: 30%;">                 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             </div> </div>					
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Fund Sources Affected</b></td> <td style="width: 50%;"><b>Affected Ch. 20 Appropriations</b></td> </tr> <tr> <td> <input checked="" type="checkbox"/> GPR    <input type="checkbox"/> FED    <input type="checkbox"/> PRO    <input checked="" type="checkbox"/> PRS    <input type="checkbox"/> SEG    <input type="checkbox"/> SEGS                 </td> <td>20.505 (1)(a); 20.505 (1)(kr); 20.505 (1)(kz),</td> </tr> </table>		<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>	<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input checked="" type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	20.505 (1)(a); 20.505 (1)(kr); 20.505 (1)(kz),
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<b>Agency/Prepared By</b> DOA/ Robin Malicki (608) 264-9576	<b>Authorized Signature</b> Colleen Holtan (608) 266-1359				
<b>Date</b> 1/30/2018					

## Fiscal Estimate Narratives

DOA 1/30/2018

LRB Number	17-3272/1	Introduction Number	SB-626	Estimate Type	Original
<b>Description</b> discrimination based on arrest or conviction record under the fair employment law					

### Assumptions Used in Arriving at Fiscal Estimate

Under the current fair employment law, it is unlawful to refuse to license an individual based on the individual's arrest or conviction record. Exceptions to the current fair employment law include to deny a license to an individual who has a pending criminal charge or who has been convicted of any offense, if the circumstances relate to the licensed activity.

Under the proposed bill, modifications are made to address discrimination in licensing based on arrest or conviction records. Specifically, it narrows the exception allowing for denial of a license, based on certain identified criteria. The proposed bill also prohibits a licensing agency from denying a license because the individual was adjudicated delinquent. If a licensing agency denies a license, it must state its reasons for the denial in writing, and must allow the individual to show evidence of rehabilitation and fitness to engage in the licensed activity.

The bill also requires state agencies that may deny licenses due to an individual's conviction record to promulgate rules to allow an individual to apply for a binding determination of whether they would be disqualified from obtaining the license based on their conviction record.

There will be minimal costs to the Department that cannot be determined associated with the passage of the modifications to the fair employment law. There would be a potential minimal increase to Department staff time associated with the review and processing of the binding determination for disqualification from obtaining licenses. In addition, undetermined costs may be associated with Agency legal and policy staff time expended on the promulgation of rules for allowed application for the binding determination. The additional staff time expended for: rule promulgation, review and processing of the binding determination, and that is associated with potential reviews of the conviction status individual, are projected to be absorbed within the current budget.

### Long-Range Fiscal Implications