

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

DOC 302

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3. Subject

Rewriting Chapter DOC 302, relating to inmate classification, sentence, and release provisions.

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

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5. Chapter 20, Stats. Appropriations Affected

20.410(1)(a)

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6. Fiscal Effect of Implementing the Rule

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

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

State's Economy       Specific Businesses/Sectors  
 Local Government Units       Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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

Yes       No

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9. Policy Problem Addressed by the Rule

The new rules repeal, amend, and create many definitions in the chapter. Promulgates a rule provision requiring the department to set prison population limits under Wis. Stat. 301.055. In keeping with current correctional practice, it more accurately describes intake and classification process. Provides a process for a department registrar to contact the sentencing court and the inmate if there is uncertainty in the sentence imposed by the court. Finally, it creates a department process for Extraordinary Health Condition and aged petition release from prison under Wis. Stat. 301.113 (9g).

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

There will be no impact for the private sector or local governmental units. The rule changes effecting intake and classification will not be noticed outside of the Department of Corrections. The new process for Extraordinary Health Condition and aged petitions will not effect local government as it will not increase or decrease the amount of inmates granted release. The department's new process for contacting the sentencing court will not result in additional contact with sentencing courts. Additionally, promulgating a rule provision requiring the department to set prison population limits does not have any foreseeable impact on the DOC's ability to house inmates.

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11. Identify the local governmental units that participated in the development of this EIA.

No local government units were needed to participate in the development of this statement because this relates solely to the Department of Corrections operations.

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12. 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)

The proposed rule change is anticipated to have no significant adverse or material economic impact on small businesses. The Department determined this rule would not adversely affect in a material way the economy, a sector of the economy, productivity, jobs, or the overall economic competitiveness of the state.

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**13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule**

The benefits of the new rules are that it updates and creates definitions in the administrative code. It also promulgates a rule provision to set prison population limits under Wis. Stat. 301.055. Finally, it creates a clear process for the department to contact sentencing courts regarding an uncertain sentence and a process for Extraordinary Health Condition and aged petition releases that may help improve staff efficiency.

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**14. Long Range Implications of Implementing the Rule**

The department having a clear process for contacting the sentencing court regarding uncertain sentences and a clear process for Extraordinary health Condition and aged petition release may have a minimal amount of improved efficiency by staff. There is no foreseeable long range effect. Finally, changes to update definitions of terms will have no impact.

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**15. Compare With Approaches Being Used by Federal Government**

There are no federal statutes or regulations that regulate the activities addressed by the proposed rule.

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**16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)**

In most cases, requirements vary moderately between the adjacent states and those of Wisconsin as proposed. Some states do not apply intake and classification procedures to adults and juveniles. For a detailed analysis, please refer to the proposed rule-making order submitted by the Department associated with this rule.

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<b>17. Contact Name</b>	<b>18. Contact Phone Number</b>
Jake Jokisch	608-240-5415

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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