

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

☒ Original ☐ Updated ☐ Corrected

2. Administrative Rule Chapter, Title and Number

DOC 328

3. Subject

Rewriting Chapter DOC 328, related to Adult Field Supervision

4. Fund Sources Affected

☒ GPR ☐ FED ☐ PRO ☐ PRS ☐ SEG ☐ SEG-S

5. Chapter 20, Stats. Appropriations Affected

none

6. Fiscal Effect of Implementing the Rule

<input checked="" type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Could Absorb Within Agency's Budget
		<input type="checkbox"/> Decrease Cost

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

<input type="checkbox"/> State's Economy	<input type="checkbox"/> Specific Businesses/Sectors
<input type="checkbox"/> Local Government Units	<input type="checkbox"/> Public Utility Rate Payers
	<input type="checkbox"/> Small Businesses (if checked, complete Attachment A)

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

☐ Yes ☒ No

9. Policy Problem Addressed by the Rule

The update of DOC 328 reflects changes in law, and changes in the operations and practices of the department as they affect adult field supervision.

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 should be no impact for the private sector or public sector as the rule changes are largely being done to comply with current law and recent legislation. Legislative acts may have had a fiscal impact on the Department of Corrections, but these rule changes result in no further fiscal impact. The changes will not have an affect on private business, local governmental units, or individuals.

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's statutory obligation to supervise adult offenders in the community.

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.

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

The benefits of the new rules are that they make the Department's administrative rules consistent with statute and therefore eliminate any inconsistency and subsequent misunderstanding of the Department's authority, operations, and practices as related to adult field supervision.

14. Long Range Implications of Implementing the Rule

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Changes to update administrative code with current state and federal law will have no long range effect.

15. Compare With Approaches Being Used by Federal Government

The Federal Prison Rape Elimination Act (PREA) applies to community-based residential facilities, the proposed code updates include language to explicitly require the contracted vendors to comply with this Federal Law. (Code of Federal Regulations: 28 CFR Part 115). Federal probationers or parolees are not charged a supervision fee. For more detailed and complete analysis, please refer to the proposed rule-making order submitted by the Department associated with this rule.

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. For a detailed analysis, please refer to the proposed rule-making order submitted by the Department associated with this rule.

<h4>17. Contact Name</h4> <p>Emily Lindsey</p>	<h4>18. Contact Phone Number</h4> <p>608-240-5413</p>
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ATTACHMENT A

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)

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

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:

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

5. Describe the Rule's Enforcement Provisions

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

☐ Yes ☐ No
