

STATEMENT OF SCOPE

Department of Revenue

Rule No.: Chapter Tax 11

Relating to: Derogatory or offensive terminology

Rule Type: Permanent

This scope statement was approved by the Governor on May 30, 2019.

1. Detailed description of the objective of the proposed rule:

Executive Order #15 provides for each state agency to review its administrative rules and replace any derogatory or offensive terminology with current inclusive terminology. This includes replacing "mentally retarded" with "intellectually disabled", "mental retardation" with "intellectual disability", and "handicapped" with "disabled".

2. Description of existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The new policy proposed is related to Executive Order #15. This proposed rule will replace all instances of "handicapped" with "disabled" as found in Chapter Tax 11.

3. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 227.11 (2), Stats., provides statutory rule-making authority as follows:

- (a) "Each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute..."
- (b) "Each agency authorized to exercise discretion in deciding individual cases may formalize the general policies evolving from its decisions by promulgating the policies as rules ..."

Executive Order #15, signed on March 12, 2019, states:

Now, therefore, I, Tony Evers, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the Laws of the State, hereby order the following:

1. Direct each State Agency to review its administrative rules and replace any derogatory or offensive terminology with current, inclusive terminology. This includes, but is not limited to replacing:
 - a. "Mentally retarded" with "intellectually disabled";
 - b. "Mental retardation" with "intellectual disability"; and
 - c. "Handicapped" with "disabled."

2. Direct each State Agency to complete its review and submit a scope statement to make such changes no later than 90 days from the date of this order.

4. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

The department estimates it will take approximately 40 hours to develop the rule.

5. List with description of all entities that may be affected by the proposed rule:

Persons who are intellectually disabled, have an intellectual disability, or are disabled.

6. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

7. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

No economic impact is anticipated.

Contact Person: Jen Chadwick (608) 266-8253

Department Head Signature

Date Submitted