

**FISCAL NOTE**

The fiscal impact, in the form of increased expenditures, is indeterminable but could be significant.

The Department of Enterprise Technology Services (ETS) has determined that the cost of deleting and de-identifying data is currently unknown. Agencies must comply with federal data retention requirements, and as such will need to develop policies that extend retention beyond the bill's proposed three-year period. While this extension is essential for maintaining federal compliance and supporting informed policy decisions, the bill's requirement to delete and de-identify data presents significant challenges.

ETS noted many legacy systems lack this functionality, and the number of systems requiring upgrades, and the associated costs, cannot be accurately estimated at this time. ETS anticipates additional workload and required resources to support and partner with state agencies to review their applications, databases and retention schedules to estimate the costs for full compliance. These changes will impact most, if not all applications currently used. Due to the anticipated change and the unknown state of each application to fully comply with the legislation, ETS is unable to provide a reasonable cost estimate.

According to the Department of Workforce Services, the duties proposed in W.S. 9-21-202(c) requiring an investigation into the validity of an objection regarding the "accuracy, completeness, pertinence, timeliness, relevance, retention, dissemination, or denial of access" have the potential to require additional personnel and expenditures, which are indeterminable at this time.

According to the Department of Family Services (DFS), the costs associated with deleting and de-identifying data remain uncertain. To comply with federal data retention requirements for various DFS programs, it will be necessary for DFS to develop policies that extend data retention beyond the three-year period. This extension is crucial for ensuring federal compliance and enabling longitudinal analysis of case information.

The Wyoming Game and Fish Department anticipates a total expenditure increase of \$2,356 due to the staff time required to develop policies and practices to be in compliance with the bill. Policy development and a request to retain personal data beyond three years for hunting and fishing licensing history, law enforcement purposes and hunting preference point data is expected to take approximately 38 hours of administrative time at an hourly rate of \$62.

According to the Wyoming Department of Health (WDH), the duties associated with this bill can be incorporated into the routine process by existing personnel. The WDH will draft additional policies into its privacy and security policies where needed to ensure compliance.

According to the State Auditor's Office (SAO), the majority of the bill's changes will not cause additional expenditures. However, proposed W.S. 9-21-202(c) requires the government entity to investigate the validity of resident objections and issue decision letters regarding merit. If the volume of objections were

high, this may cause additional expenditures for legal assistance investigation regarding validity.

Additionally, the SAO noted if an individual's objection is found to lack merit, W.S. 9-21-202(c)(iii) would require the government to attach an individual's statement, if they desire, to any disseminated information regarding the individual. This could have a substantial impact on the SAO's ability to respond to public records requests, maintain the statutorily required transparency website, and complete required tax reporting.

The Governor's Office, the Secretary of State's Office, the Department of Education, the Dept. of Administration & Information, the Attorney General's Office, the Dept. of Transportation, the State Engineer's Office, the Laramie County District Attorney's Office, the Public Defender's Office, Wyoming Retirement System and the Natrona County District Attorney's Office indicated the bill would have no significant fiscal or personnel impact to their agency.

**NOTICE-AGENCY ESTIMATE OF ADMINISTRATIVE IMPACT REQUESTED**

This bill has administrative impact that appears to increase duties or responsibilities of one or more state agencies and may impact agency spending or staffing requirements. As introduced, the bill does not modify any state agency budget or current personnel authorizations.

The following state agencies will be asked to provide their estimate of the administrative fiscal impact prior to the first committee meeting held to consider the bill:

University of Wyoming  
Community College Commission  
Department of Parks and Cultural Resources

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