

State of Wisconsin



2023 Assembly Bill 203

Date of enactment: **August 4, 2023**

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2023 WISCONSIN ACT 33

AN ACT *to amend* 440.01 (1) (dm); and *to create* 440.08 (2m) of the statutes; **relating to:** renewals of certain credentials.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council's Study Committee on Occupational Licenses.

Under current law, a two-year renewal period applies to many health and business credentials administered by the Department of Safety and Professional Services (DSPS) or a credentialing board. The renewal date is specified by statute, and is designated as the date on which a credential expires and before which it must be renewed for the credential holder to maintain the rights, privileges, and authority conferred by the credential. The statute does not specify what it means to "be renewed," particularly whether a credential holder's submission of a complete renewal application satisfies the renewal requirement or whether, instead, DSPS is required to have issued a determination on a renewal application.

The bill revises the language regarding the effect of the renewal date to specify that the renewal date is the date on which a credential expires and before which a credential holder must submit a complete renewal application in order to maintain without interruption the rights, privileges, and authority conferred by the credential.

The bill specifies that a renewal application is considered complete for purposes of satisfying the renewal requirement only when the credential holder has submitted the required fee and all forms and other documentation required for the renewal of that credential. A credential holder who has submitted a complete renewal application is also considered

to have made timely and sufficient application for the renewal under a separate provision in state law that delays expiration until the opportunity for review of a denial expires or is otherwise resolved.

SECTION 1. 440.01 (1) (dm) of the statutes is amended to read:

440.01 (1) (dm) "Renewal date" means the date, specified in s. 440.08 (2), on which a credential expires and before which ~~it must be renewed for the credential holder~~ must submit a complete renewal application under s. 440.08 (2m) (a) in order to maintain without interruption the rights, privileges and authority conferred by the credential.

SECTION 2. 440.08 (2m) of the statutes is created to read:

440.08 (2m) RENEWAL GENERALLY. (a) A renewal application shall be considered complete only when the credential holder has submitted the fee required under sub. (2) (c) and all forms and other documentation required for the renewal of that credential.

(b) A credential holder who has submitted a complete renewal application as provided in par. (a) has made timely and sufficient application for the renewal of the credential within the meaning of s. 227.51 (2).

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."