



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRBb0653/1  
JK/MPG:klm

**ASSEMBLY AMENDMENT 1,  
TO SENATE BILL 70**

June 29, 2023 - Offered by Representatives SINICKI, BARE, JOERS, ANDRACA, C. ANDERSON, VINING, MADISON, CLANCY, HAYWOOD, SUBECK, J. ANDERSON, HONG, NEUBAUER, EMERSON, JACOBSON, OHNSTAD, PALMERI, RATCLIFF, CONLEY, SNODGRASS, SHELTON, CABRERA, DRAKE, BALDEH, CONSIDINE, MOORE OMOKUNDE, BILLINGS, GOYKE, STUBBS, MYERS, ORTIZ-VELEZ, RIEMER and SHANKLAND.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 22, line 15: under compensation reserves on page 23, delete the dollar  
3 amount under fiscal year 2023-24 and substitute “365,260,700” and delete the dollar  
4 amount under fiscal year 2024-25 and substitute “581,614,700”.

5 **2.** Page 24, line 1: delete that line and substitute:

6 **“SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

	<b>2023-24</b>	<b>2024-25</b>
General Purpose Revenue	\$ 365,260,700	\$ 581,614,700
Federal Revenue	80,773,600	112,308,700
Program Revenue	141,762,100	197,108,000
Segregated Revenue	<u>79,684,500</u>	<u>110,794,400</u>
<b>TOTAL</b>	\$ 667,480,900	\$ 1,001,825,800”.

1           **3.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by  
2           \$36,700 and increase the dollar amount for fiscal year 2024-25 by \$47,100 to  
3           increase the authorized FTE positions by 0.5 PR position to establish an agency  
4           equity officer responsible for collaborating with the chief equity officer in the  
5           department of administration and with other agency equity officers to identify  
6           opportunities to advance equity in government operations.

7           **4.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by  
8           \$247,500 and increase the dollar amount for fiscal year 2024-25 by \$275,000 to  
9           implement and administer the ABLE program under s. 224.55 and to increase the  
10          authorized FTE positions by 1.0 PR position for this purpose.

11          **5.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by  
12          \$3,393,100 and increase the dollar amount for fiscal year 2024-25 by \$3,393,100 to  
13          provide operational funding including for the maintenance and upgrade of critical  
14          information technology infrastructure, financial examiner travel and training costs,  
15          and accreditation costs, along with limited-term-employee salary and fringe costs.

16          **6.** Page 45, line 13: increase the dollar amount for fiscal year 2024-25 by  
17          \$1,115,900 for onetime funding to modernize the department of financial  
18          institutions' charitable and professional organizations technology system.

19          **7.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by  
20          \$724,500 for modernization of the department of financial institutions' Uniform  
21          Commercial Code and trademark processing and filing technology systems.

22          **8.** Page 45, line 13: increase the dollar amount for fiscal year 2024-25 by  
23          \$1,038,900 in onetime funding to update and enhance the department of financial  
24          institutions' securities filing technology systems.

1           **9.** Page 47, line 14: after that line insert:

2           “**SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
3 insert the following amounts for the purposes indicated:

**2023-24            2024-25**

4           **20.144 Financial Institutions, Department of**

5           (4)    SMALL BUSINESS RETIREMENT SAVINGS PROGRAM

6           (a)    General program operations       GPR    A       2,000,000       -0-

7           (g)    Program operations; other funds   PR       C       63,200       81,000”.

8           **10.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
9 \$84,650 and increase the dollar amount for fiscal year 2024-25 by \$84,650 to  
10 increase the authorized FTE positions by 1.0 PR position in the division of legal  
11 services and compliance in the department of safety and professional services for an  
12 attorney for business and trades complaints and other compliance.

13           **11.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
14 \$169,250 and increase the dollar amount for fiscal year 2024-25 by \$169,500 to  
15 increase the authorized FTE positions by 2.0 PR positions in the division of legal  
16 services and compliance in the department of safety and professional services for  
17 attorneys for the prescription drug monitoring program.

18           **12.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
19 \$146,000 and increase the dollar amount for fiscal year 2024-25 by \$146,000 to  
20 increase the authorized FTE positions by 1.0 PR position in the division of legal  
21 services and compliance in the department of safety and professional services for a

1 pharmacy practices consultant for inspections of primarily nonretail pharmacy  
2 locations.

3 **13.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
4 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to  
5 increase the authorized FTE positions by 1.0 PR position in the division of legal  
6 services and compliance in the department of safety and professional services for a  
7 real estate specialist for appraisals attorneys for the prescription drug monitoring  
8 program.

9 **14.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
10 \$151,200 and increase the dollar amount for fiscal year 2024-25 by \$151,200 to  
11 increase the authorized FTE positions by 2.0 PR positions in the division of legal  
12 services and compliance in the department of safety and professional services for a  
13 consumer protection investigator and a consumer protection investigator-senior for  
14 investigations related to the prescription drug monitoring program.

15 **15.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
16 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to  
17 increase the authorized FTE positions by 1.0 PR project position in the division of  
18 legal services and compliance in the department of safety and professional services  
19 for a 2-year project program and policy analyst for credential board data analysis  
20 and informational responses to internal and external parties.

21 **16.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
22 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to  
23 increase the authorized FTE positions by 1.0 PR position in the division of policy  
24 development in the department of safety and professional services for an

1 administrative policy advisor for facilitating operations of credentialing and  
2 examining boards.

3 **17.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
4 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to  
5 increase the authorized FTE positions by 1.0 PR position in the division of policy  
6 development in the department of safety and professional services for an  
7 administrative rules coordinator for facilitating operations of credentialing and  
8 examining boards.

9 **18.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
10 \$1,771,800 and increase the dollar amount for fiscal year 2024-25 by \$1,771,800 for  
11 the purpose for which the appropriation is made.

12 **19.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
13 \$479,600 and increase the dollar amount for fiscal year 2024-25 by \$617,300 to  
14 increase the authorized FTE positions by 8.0 PR license and permit program  
15 associate positions.

16 **20.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
17 \$113,200 and increase the dollar amount for fiscal year 2024-25 by \$292,000 to  
18 support information technology function costs charged by the division of enterprise  
19 technology in the department of administration.

20 **21.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
21 \$113,200 and increase the dollar amount for fiscal year 2024-25 by \$143,000 to  
22 provide funding to help individuals navigate the credentialing process and to  
23 increase the authorized FTE positions by 2.0 PR positions for this purpose.

1           **22.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
2           \$121,400 and increase the dollar amount for fiscal year 2024-25 by \$154,800 to  
3           provide funding to increase the authorized FTE positions by 2.0 PR positions for  
4           interstate compact development and licensure research.

5           **23.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
6           \$219,800 and increase the dollar amount for fiscal year 2024-25 by \$280,100 to  
7           provide funding to increase the authorized FTE positions by 3.0 PR positions to  
8           expedite licensing for applicants with out-of-state credentials.

9           **24.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
10          \$37,600 and increase the dollar amount for fiscal year 2024-25 by \$48,300 to  
11          increase the authorized FTE positions by 0.5 PR position to establish an agency  
12          equity officer responsible for collaborating with the chief equity officer in the  
13          department of administration and with other agency equity officers to identify  
14          opportunities to advance equity in government operations.

15          **25.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
16          \$72,200 and increase the dollar amount for fiscal year 2024-25 by \$93,600 to  
17          increase the authorized FTE positions by 1.0 PR records management supervisor  
18          position.

19          **26.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by  
20          \$465,600 and increase the dollar amount for fiscal year 2024-25 by \$581,800 to  
21          increase the authorized FTE positions by 8.0 PR customer service call center  
22          positions.

23          **27.** Page 55, line 14: decrease the dollar amount for fiscal year 2023-24 by  
24          \$4,550,700 and decrease the dollar amount for fiscal year 2024-25 by \$4,550,700 for

1 the purpose of restructuring the Wisconsin Economic Development Corporation's  
2 funding structure.

3 **28.** Page 55, line 16: increase the dollar amount for fiscal year 2023-24 by  
4 \$5,000,000 and increase the dollar amount for fiscal year 2024-25 by \$5,000,000 for  
5 the purpose of talent attraction and retention initiatives.

6 **29.** Page 56, line 4: increase the dollar amount for fiscal year 2023-24 by  
7 \$10,000,000 and increase the dollar amount for fiscal year 2024-25 by \$9,000,000 for  
8 the purpose of restructuring the Wisconsin Economic Development Corporation's  
9 funding structure.

10 **30.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
11 \$1,400 and increase the dollar amount for fiscal year 2024-25 by \$1,400 to increase  
12 agency supplies and services funding. The proposed increases would be provided to  
13 appropriations that meet the following criteria: in 2021-22, the agency expended 95  
14 percent or more of the amount budgeted for supplies and services; and, for the  
15 2023-25 biennium, no other additional supplies and services funding is being  
16 proposed for a similar purpose.

17 **31.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
18 \$64,600 and increase the dollar amount for fiscal year 2024-25 by \$86,200 to  
19 increase the authorized FTE positions by 1.0 position to create an agency tribal  
20 liaison position. The agency tribal liaison would be responsible for working with  
21 Native American tribes and bands on behalf of the agency, as well as coordinating  
22 with the Director of Native American Affairs in Department of Administration.

23 **32.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
24 \$38,100 and increase the dollar amount for fiscal year 2024-25 by \$48,900 to

1 increase the authorized FTE positions by 0.5 position to create an agency equity  
2 officer position. The agency equity officer would be responsible for collaborating with  
3 the chief equity officer in the Department of Administration and with other agency  
4 equity officers to identify opportunities to advance equity in government operations.

5 **33.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
6 \$1,498,200 and increase the dollar amount for fiscal year 2024-25 by \$1,445,000 for  
7 additional operations funding for supplies or contracted services.

8 **34.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
9 \$46,100 and increase the dollar amount for fiscal year 2024-25 by \$58,000 to  
10 increase the authorized FTE positions by 1.0 position to create a social media  
11 assistant position.

12 **35.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
13 \$46,100 and increase the dollar amount for fiscal year 2024-25 by \$58,000 to  
14 increase the authorized FTE positions by 1.0 position to create a consumer  
15 communications specialist position.

16 **36.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
17 \$54,800 and increase the dollar amount for fiscal year 2024-25 by \$69,500 to  
18 increase the authorized FTE positions by 1.0 position to create a content marketing  
19 writer position.

20 **37.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
21 \$54,800 and increase the dollar amount for fiscal year 2024-25 by \$69,500 to  
22 increase the authorized FTE positions by 1.0 position to create a marketing  
23 coordinator position.



1           **38.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
2           \$54,800 and increase the dollar amount for fiscal year 2024-25 by \$69,500 for the  
3           purpose of increasing the authorized FTE positions by 1.0 position to create a  
4           permanent position.

5           **39.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
6           \$149,800 and increase the dollar amount for fiscal year 2024-25 by \$149,800 and  
7           increase the authorized FTE positions by 1.0 position to transfer the position and  
8           related salary, fringe, and supplies funding from the Office of Marketing Services to  
9           the general program operations appropriation.

10          **40.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
11          \$1,314,300 and increase the dollar amount for fiscal year 2024-25 by \$1,352,500 to  
12          create a Meetings, Conventions, and Sports Bureau and increase the authorized FTE  
13          positions by 3.0 positions.

14          **41.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
15          \$282,500 and increase the dollar amount for fiscal year 2024-25 by \$282,500 for  
16          additional supplies and services for the Office of Outdoor Recreation.

17          **42.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by  
18          \$237,000 and increase the dollar amount for fiscal year 2024-25 by \$290,200 to  
19          increase the authorized FTE positions by 3.0 permanent positions for the Office of  
20          Outdoor Recreation.

21          **43.** Page 114, line 10: increase the dollar amount for fiscal year 2023-24 by  
22          \$33,600,000 to expand marketing and advertising initiatives.

1           **44.** Page 115, line 17: increase the dollar amount for fiscal year 2023-24 by  
2           \$600 and increase the dollar amount for fiscal year 2024-25 by \$600 to increase  
3           agency supplies and services funding. The proposed increases would be provided to  
4           appropriations that meet the following criteria: in 2021-22, the agency expended 95  
5           percent or more of the amount budgeted for supplies and services; and, for the  
6           2023-25 biennium, no other additional supplies and services funding is being  
7           proposed for a similar purpose.

8           **45.** Page 116, line 3: increase the dollar amount for fiscal year 2023-24 by  
9           \$407,200 and increase the dollar amount for fiscal year 2024-25 by \$366,900 for state  
10          aid for the arts.

11          **46.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
12          \$391,200 and increase the dollar amount for fiscal year 2024-25 by \$391,200 for the  
13          purpose of contracting for access to a national database to identify relatives of a child.

14          **47.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
15          \$740,900 and increase the dollar amount for fiscal year 2024-25 by \$740,900 to  
16          increase the authorized FTE positions by 3.2 GPR contracted positions to develop a  
17          youth justice case management and reporting system.

18          **48.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
19          \$2,687,700 and increase the dollar amount for fiscal year 2024-25 by \$2,687,700 for  
20          the purpose of funding statewide automated child welfare information system  
21          enhancements.

22          **49.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
23          \$195,800 and increase the dollar amount for fiscal year 2024-25 by \$204,600 for the

1 purpose of funding licensing fees and costs for a youth assessment and screening  
2 instrument.

3 **50.** Page 165, line 3: decrease the dollar amount for fiscal year 2023-24 by  
4 \$2,000 and decrease the dollar amount for fiscal year 2024-25 by \$2,000 for the  
5 purpose of more accurately reflecting the current needs and organizational structure  
6 of the agency.

7 **51.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
8 \$600,000 and increase the dollar amount for fiscal year 2024-25 by \$600,000 to  
9 support the estimated costs of disregarding up to \$10,000 of income of direct care  
10 workers when applying for and calculating Wisconsin Shares subsidies.

11 **52.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
12 \$3,852,500 and increase the dollar amount for fiscal year 2024-25 by \$3,852,500 to  
13 maintain and enhance services provided to assist youth age 18 to 23 who were  
14 formerly in out-of-home care, such as foster care, transition to independent living.

15 **53.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
16 \$2,020,000 and increase the dollar amount for fiscal year 2024-25 by \$2,020,000 for  
17 programs that provide services to runaway and homeless youth.

18 **54.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
19 \$1,185,800 and increase the dollar amount for fiscal year 2024-25 by \$1,185,800 for  
20 the department of children and families to develop and implement a comprehensive  
21 cybersecurity plan for critical infrastructure, data, systems, and user accounts  
22 across all of its information technology systems.

23 **55.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by  
24 \$4,865,600 and increase the dollar amount for fiscal year 2024-25 by \$11,849,900 to

1 increase the authorized FTE positions by 4.6 positions and to fund agency services  
2 and staff.

3 **56.** Page 165, line 5: increase the dollar amount for fiscal year 2023-24 by  
4 \$1,200,000 and increase the dollar amount for fiscal year 2024-25 by \$3,896,000 for  
5 the purpose of expanding the home visitation program under s. 48.983.

6 **57.** Page 165, line 10: increase the dollar amount for fiscal year 2023-24 by  
7 \$4,264,900 and increase the dollar amount for fiscal year 2024-25 by \$4,264,900 for  
8 the purpose of funding grants for youth services under s. 48.481.

9 **58.** Page 165, line 15: increase the dollar amount for fiscal year 2023-24 by  
10 \$6,217,300 and increase the dollar amount for fiscal year 2024-25 by \$6,217,300 for  
11 the purpose of increasing funding under the domestic abuse shelter and services  
12 program.

13 **59.** Page 165, line 20: increase the dollar amount for fiscal year 2023-24 by  
14 \$124,000 and increase the dollar amount for fiscal year 2024-25 by \$166,100 for the  
15 purpose of providing funding for the office of legal counsel to address increased  
16 workloads.

17 **60.** Page 166, line 3: increase the dollar amount for fiscal year 2023-24 by  
18 \$366,100 and increase the dollar amount for fiscal year 2024-25 by \$732,200 for the  
19 purpose of offering short-term respite child care and shelter for families in  
20 emergencies.

21 **61.** Page 166, line 7: increase the dollar amount for fiscal year 2023-24 by  
22 \$256,600 and increase the dollar amount for fiscal year 2024-25 by \$282,600 for the  
23 purpose of reimbursing tribes and bands for the cost of subsidized guardianships.

24 **62.** Page 166, line 11: delete lines 11 to 13.

1           **63.** Page 166, line 13: delete that line.

2           **64.** Page 166, line 15: delete lines 15 and 16.

3           **65.** Page 168, line 6: increase the dollar amount for fiscal year 2023-24 by  
4           \$435,100 and increase the dollar amount for fiscal year 2024-25 by \$435,100 to  
5           increase the authorized FTE positions by 1.8 FED contracted positions to develop a  
6           youth justice case management and reporting system.

7           **66.** Page 168, line 12: increase the dollar amount for fiscal year 2023-24 by  
8           \$10,900 and increase the dollar amount for fiscal year 2024-25 by \$14,500 for the  
9           purpose of providing funding for the office of legal counsel to address increased  
10          workloads.

11          **67.** Page 168, line 15: increase the dollar amount for fiscal year 2023-24 by  
12          \$26,300 and increase the dollar amount for fiscal year 2024-25 by \$35,000 to  
13          increase the authorized FTE positions by 0.4 positions and to fund agency services  
14          and staff.

15          **68.** Page 168, line 22: increase the dollar amount for fiscal year 2023-24 by  
16          \$139,000 and increase the dollar amount for fiscal year 2024-25 by \$153,000 for the  
17          purpose of reimbursing tribes and bands for the cost of subsidized guardianships.

18          **69.** Page 169, line 5: increase the dollar amount for fiscal year 2023-24 by  
19          \$2,435,600 and increase the dollar amount for fiscal year 2024-25 by \$6,975,900 for  
20          the KIDS IT modernization project.

21          **70.** Page 169, line 6: increase the dollar amount for fiscal year 2023-24 by  
22          \$5,000,000 and increase the dollar amount for fiscal year 2024-25 by \$5,000,000 for  
23          local child support enforcement.

1           **71.** Page 169, line 10: increase the dollar amount for fiscal year 2023-24 by  
2           \$6,100 and increase the dollar amount for fiscal year 2024-25 by \$6,700 for the  
3           purpose of kinship care exceptional payments due to the inclusion of like-kin as  
4           eligible.

5           **72.** Page 169, line 10: increase the dollar amount for fiscal year 2023-24 by  
6           \$13,200 and increase the dollar amount for fiscal year 2024-25 by \$26,400 for the  
7           purpose of kinship care payment increases due to the inclusion of like-kin as eligible.

8           **73.** Page 170, line 9: increase the dollar amount for fiscal year 2023-24 by  
9           \$111,900 and increase the dollar amount for fiscal year 2024-25 by \$111,900 to  
10          increase the authorized FTE positions by 1.0 PR position to more accurately reflect  
11          the current needs and organizational structure of the agency.

12          **74.** Page 170, line 18: increase the dollar amount for fiscal year 2023-24 by  
13          \$700 and increase the dollar amount for fiscal year 2024-25 by \$700 for the purpose  
14          of more accurately reflecting the current needs and organizational structure of the  
15          agency.

16          **75.** Page 170, line 19: decrease the dollar amount for fiscal year 2023-24 by  
17          \$15,440,600 and increase the dollar amount for fiscal year 2024-25 by \$17,379,300  
18          for the purpose for which the appropriation is made.

19          **76.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by  
20          \$19,000,000 and increase the dollar amount for fiscal year 2024-25 by \$19,000,000  
21          for the child care quality improvement program under s. 49.133.

22          **77.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by  
23          \$13,155,900 and increase the dollar amount for fiscal year 2024-25 by \$24,050,000

1 for the purpose of kinship care payment increases due to the inclusion of like-kin as  
2 eligible.

3 **78.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by  
4 \$2,077,200 and increase the dollar amount for fiscal year 2024-25 by \$4,203,900 for  
5 the purpose of kinship care exceptional payments due to the inclusion of like-kin as  
6 eligible.

7 **79.** Page 170, line 19: increase the dollar amount for fiscal year 2024-25 by  
8 \$104,000 for the purpose of expanding the home visitation program under s. 48.983.

9 **80.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by  
10 \$1,182,600 and increase the dollar amount for fiscal year 2024-25 by \$1,182,600 for  
11 the purpose of funding statewide automated child welfare information system  
12 enhancements.

13 **81.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by  
14 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 for the  
15 purpose of increasing the funding allocated for the FAST program.

16 **82.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by  
17 \$500,000 and increase the dollar amount for fiscal year 2024-25 by \$500,000 to  
18 expand legal services grants to include cases involving evictions.

19 **83.** Page 170, line 19: decrease the dollar amount for fiscal year 2023-24 by  
20 \$250,000 and decrease the dollar amount for fiscal year 2024-25 by \$250,000 for the  
21 purpose of establishing the skills enhancement program.

22 **84.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by  
23 \$500,000 and increase the dollar amount for fiscal year 2024-25 by \$500,000 for the

1 purpose of increasing the grant the Department of Children and Families provides  
2 to the Boys and Girls Clubs of Wisconsin in s. 49.175 (1) (z).

3 **85.** Page 170, line 19: decrease the dollar amount for fiscal year 2023-24 by  
4 \$6,611,200 and decrease the dollar amount for fiscal year 2024-25 by \$5,339,000 to  
5 account for the increase in caretaker supplement benefit payments.

6 **86.** Page 171, line 4: increase the dollar amount for fiscal year 2023-24 by  
7 \$4,728,100 and increase the dollar amount for fiscal year 2024-25 by \$13,541,300 for  
8 the KIDS IT modernization project.

9 **87.** Page 171, line 6: increase the dollar amount for fiscal year 2023-24 by  
10 \$9,705,900 and increase the dollar amount for fiscal year 2024-25 by \$9,705,900 for  
11 local child support enforcement.

12 **88.** Page 171, line 18: increase the dollar amount for fiscal year 2023-24 by  
13 \$75,100 and increase the dollar amount for fiscal year 2024-25 by \$96,400 to  
14 increase the authorized FTE positions by 1.0 GPR position to establish an agency  
15 equity officer responsible for collaborating with the chief equity officer in the  
16 department of administration and with other agency equity officers to identify  
17 opportunities to advance equity in government operations.

18 **89.** Page 172, line 2: increase the dollar amount for fiscal year 2023-24 by  
19 \$110,600 and increase the dollar amount for fiscal year 2024-25 by \$147,500 for the  
20 purpose of providing funding for the office of legal counsel to address increased  
21 workloads.

22 **90.** Page 174, line 6: increase the dollar amount for fiscal year 2023-24 by  
23 \$119,300 and increase the dollar amount for fiscal year 2024-25 by \$405,600 for the



1 administration and enforcement of a substance abuse prevention program and to  
2 increase the authorized FTE positions by 3.0 GPR positions for that purpose.

3 **91.** Page 174, line 6: increase the dollar amount for fiscal year 2023-24 by  
4 \$304,200 and increase the dollar amount for fiscal year 2024-25 by \$405,600 to  
5 increase job center staffing and to increase the authorized FTE positions by 3.0 GPR  
6 positions for that purpose.

7 **92.** Page 174, line 6: increase the dollar amount for fiscal year 2023-24 by  
8 \$379,800 and increase the dollar amount for fiscal year 2024-25 by \$506,400 to  
9 increase correctional institution job center staffing and to increase the authorized  
10 FTE positions by 6.0 GPR positions for that purpose.

11 **93.** Page 174, line 6: increase the dollar amount for fiscal year 2023-24 by  
12 \$801,400 and increase the dollar amount for fiscal year 2024-25 by \$936,600 to  
13 expand registered apprenticeship to the health care sector and to increase the  
14 authorized FTE positions by 1.0 GPR position for that purpose.

15 **94.** Page 174, line 6: increase the dollar amount for fiscal year 2023-24 by  
16 \$9,000,000 to expand registered apprenticeship within the information technology  
17 sector.

18 **95.** Page 174, line 6: increase the dollar amount for fiscal year 2023-24 by  
19 \$64,700 and increase the dollar amount for fiscal year 2024-25 by \$86,300 to  
20 increase the authorized FTE positions by 1.0 GPR position, for working with Native  
21 American tribes and bands and coordinating with the director of Native American  
22 affairs in the department of administration.

23 **96.** Page 174, line 6: increase the dollar amount for fiscal year 2023-24 by  
24 \$450,000 and increase the dollar amount for fiscal year 2024-25 by \$450,000 to

1 expand training and technical assistance support for employers by promoting  
2 outreach services and on-the-job learning services for veterans.

3 **97.** Page 174, line 12: decrease the dollar amount for fiscal year 2023-24 by  
4 \$1,000,000 and decrease the dollar amount for fiscal year 2024-25 by \$1,000,000 to  
5 decrease funding for the purposes for which the appropriation is made.

6 **98.** Page 176, line 17: increase the dollar amount for fiscal year 2023-24 by  
7 \$76,100 and increase the dollar amount for fiscal year 2024-25 by \$97,800 to  
8 increase the authorized FTE positions by 1.0 PR position to establish an agency  
9 equity officer responsible for collaborating with the chief equity officer in the  
10 department of administration and with other agency equity officers to identify  
11 opportunities to advance equity in government operations.

12 **99.** Page 209, line 16: increase the dollar amount for fiscal year 2023-24 by  
13 \$2,000,000 and increase the dollar amount for fiscal year 2024-25 by \$2,000,000 for  
14 the purpose of funding the homelessness prevention program and a diversion  
15 program, as recommended by the Interagency Council on Homelessness in its  
16 February, 2022, statewide action plan.

17 **100.** Page 313, line 13: delete lines 13 to 17.

18 **101.** Page 314, line 9: delete lines 9 to 11.

19 **102.** Page 315, line 21: delete the material beginning with that line and  
20 ending with page 316, line 16.

21 **103.** Page 316, line 17: delete lines 17 to 23.

22 **104.** Page 319, line 13: delete lines 13 to 18.

1           **105.** Page 322, line 15: delete the material beginning with that line and  
2 ending with page 324, line 16.

3           **106.** Page 325, line 17: after that line insert:

4           “**SECTION 2.** 71.07 (8s) of the statutes is created to read:

5           71.07 (8s) FLOOD INSURANCE PREMIUMS CREDIT. (a) *Definitions.* In this  
6 subsection:

7           1. “Claimant” means an individual who files a claim under this subsection.

8           2. “Flood insurance” means a flood insurance policy that covers the principal  
9 dwelling of the claimant.

10           (b) *Filing claims.* Subject to the limitations provided in this subsection, for  
11 taxable years beginning after December 31, 2022, a claimant may claim as a credit  
12 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount  
13 equal to 10 percent of the amount of the premiums the claimant paid in the taxable  
14 year for flood insurance, but the amount of the credit may not exceed \$60 in any  
15 taxable year.

16           (c) *Limitations.* 1. No credit may be claimed under this subsection by a  
17 part-year resident or a nonresident of this state.

18           2. No credit may be allowed under this subsection unless it is claimed within  
19 the period specified in s. 71.75 (2).

20           3. No credit may be allowed under this subsection for a taxable year covering  
21 a period of less than 12 months, except for a taxable year closed by reason of the death  
22 of the taxpayer.

23           (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit  
24 under that subsection, applies to the credit under this subsection.

1           **SECTION 3.** 71.10 (4) (hg) of the statutes is created to read:

2           71.10 (4) (hg) Flood insurance premiums credit under s. 71.07 (8s).”.

3           **107.** Page 327, line 13: after that line insert:

4           “**SECTION 4.** 77.52 (2) (a) 21. of the statutes is created to read:

5           77.52 (2) (a) 21. The sale of the right to access and use prewritten computer  
6 software, as defined in s. 77.51 (10r), if possession of the prewritten computer  
7 software is maintained by the seller or a 3rd party, including sales made on a per use,  
8 per user, per license, or subscription basis, or some other basis. This subdivision  
9 includes the sale of the right to access and use prewritten computer software to  
10 perform data processing and information services, regardless of whether the  
11 primary purpose of the transaction is the processed data, including check processing,  
12 image processing, form processing, survey processing, payroll processing, claim  
13 processing, and similar activities.”.

14           **108.** Page 374, line 11: after that line insert:

15           “**SECTION 5.** 49.1635 (1) of the statutes is repealed.

16           **SECTION 6.** 49.1635 (2) of the statutes is repealed.

17           **SECTION 7.** 49.1635 (3) of the statutes is repealed.

18           **SECTION 8.** 49.1635 (4) of the statutes is repealed.

19           **SECTION 9.** 49.1635 (5) (a) of the statutes is renumbered 49.1635 (1m) and  
20 amended to read:

21           49.1635 (1m) From the allocation under s. 49.175 (1) (j), the department shall  
22 make a grant of ~~\$500,000~~ \$1,000,000 in each fiscal year to Wisconsin Trust Account  
23 Foundation, Inc., for distribution of annual awards of ~~not more than \$75,000~~ per year

1 ~~per program~~ to programs that provide legal services to persons who are eligible under  
2 ~~par. (b) 2. sub. (2m) (b)~~ if all of the following apply:

3 (a) Wisconsin Trust Account Foundation, Inc., submits a plan to the  
4 department detailing the proposed use of the grant; the proposed use of the grant  
5 conforms to the requirements under ~~par. (b) sub. (2m)~~; and the secretary of the  
6 department, or his or her designee, approves the plan.

7 (b) Wisconsin Trust Account Foundation, Inc., enters into an agreement with  
8 the department that specifies the conditions for the use of the grant proceeds, and  
9 the conditions conform to the requirements under ~~par. (b) sub. (2m)~~ and include  
10 training, reporting, and auditing requirements.

11 (c) Wisconsin Trust Account Foundation, Inc., agrees in writing to submit to the  
12 department the reports required under ~~par. (e) sub. (3m)~~ by the times required under  
13 ~~par. (e) sub. (3m)~~.

14 **SECTION 10.** 49.1635 (5) (b) of the statutes is renumbered 49.1635 (2m), and  
15 49.1635 (2m) (a), as renumbered, is amended to read:

16 49.1635 (2m) (a) Subject to ~~subd. 3. par. (c)~~, the grant may be used only to  
17 provide legal services in civil matters related to eviction, domestic abuse, or sexual  
18 abuse, or ~~to~~ restraining orders or injunctions for individuals at risk under s. 813.123.

19 **SECTION 11.** 49.1635 (5) (c) of the statutes is renumbered 49.1635 (3m) and  
20 amended to read:

21 49.1635 (3m) For each fiscal year in which the department makes a grant  
22 under this ~~subsection~~ section, Wisconsin Trust Account Foundation, Inc., shall  
23 submit to the department, within 3 months after spending the full amount of that  
24 grant, a report detailing how the grant proceeds were used. The department may not  
25 make a grant in a subsequent fiscal year unless Wisconsin Trust Account

1 Foundation, Inc., submits the report under this ~~paragraph~~ subsection within the  
2 time required and the department determines that the grant proceeds were used in  
3 accordance with the approved plan under ~~par. (a) 1. sub. (1m) (a)~~, the agreement  
4 under ~~par. (a) 2. sub. (1m) (b)~~, and the requirements under ~~par. (b) sub. (2m)~~.

5 **SECTION 12.** 49.175 (1) (j) of the statutes is amended to read:

6 49.175 (1) (j) *Grants for providing civil legal services.* For the grants under s.  
7 49.1635 ~~(5)~~ to Wisconsin Trust Account Foundation, Inc., for distribution to  
8 programs that provide civil legal services to low-income families, \$500,000  
9 \$1,000,000 in each fiscal year.”.

10 **109.** Page 374, line 11: after that line insert:

11 “**SECTION 1.** 49.775 (4) of the statutes is amended to read:

12 49.775 (4) PAYMENT AMOUNT. The payment under sub. (2) is \$250 per month for  
13 one dependent child and \$150 per month for each additional dependent child, except  
14 that beginning in the 2023-24 fiscal year, the payment under sub. (2) is \$300 per  
15 month for one dependent child and \$180 per month for each additional dependent  
16 child.”.

17 **110.** Page 374, line 11: after that line insert:

18 “**SECTION 9101. Nonstatutory provisions; Administration.**

19 (7e) HOMELESS CASE MANAGEMENT GRANT PROGRAM. The authorized FTE  
20 positions for the department of administration are increased by 3.0 GPR positions  
21 to administer affordable workforce housing grants, municipal home rehabilitation  
22 grants, whole-home upgrade grants, and rental housing safety grants and by 2.0  
23 GPR positions to administer, all to be funded from the appropriation under s. 20.505  
24 (7) (a).

1           **SECTION 9201. Fiscal changes; Administration.**

2           (7e) HOMELESS CASE MANAGEMENT GRANT PROGRAM. In the schedule under s.  
3           20.005 (3) for the appropriation to the department of administration under s. 20.505  
4           (7) (a), the dollar amount for fiscal year 2023-24 is increased by \$363,100 and the  
5           dollar amount for fiscal year 2024-25 is increased by \$484,100.”.

6           **111.** Page 374, line 11: after that line insert:

7           “**SECTION 13.** 71.07 (6e) (a) 2. b. of the statutes is amended to read:

8           71.07 **(6e)** (a) 2. b. An individual who had served on active duty under  
9           honorable conditions in the U.S. armed forces or in forces incorporated as part of the  
10          U.S. armed forces; who was a resident of this state at the time of entry into that active  
11          service or who had been a resident of this state for any consecutive 5-year period  
12          after entry into that active duty service; who was a resident of this state at the time  
13          of his or her death; and who had either a service-connected disability rating of 100  
14          at least 70 percent under 38 USC 1114 or 1134 or a 100 percent disability rating based  
15          on individual unemployability.

16          **SECTION 14.** 71.07 (6e) (a) 3. d. of the statutes is amended to read:

17          71.07 **(6e)** (a) 3. d. Has either a service-connected disability rating of 100 at  
18          least 70 percent under 38 USC 1114 or 1134 or a 100 percent disability rating based  
19          on individual unemployability.

20          **SECTION 15.** 71.07 (6e) (c) 4. of the statutes is created to read:

21          71.07 **(6e)** (c) 4. If a service-connected disability rating is less than 100 percent,  
22          the amount that the claimant may claim under this subsection shall be multiplied  
23          by a percentage that equals that service-connected disability rating.

24          **SECTION 9337. Initial applicability; Revenue.**

1 (1s) VETERANS PROPERTY TAX CREDIT EXPANSION. The treatment of s. 71.07 (6e)  
2 (a) 2. b. and 3. d. and (c) 4. first applies to taxable years beginning after December  
3 31, 2022.”.

4 **112.** Page 374, line 11: after that line insert:

5 “**SECTION 16.** 15.185 (6) of the statutes is created to read:

6 15.185 (6) SMALL BUSINESS RETIREMENT SAVINGS BOARD. (a) There is created a  
7 small business retirement savings board that is attached to the department of  
8 financial institutions under s. 15.03. The board shall consist of the following  
9 members:

10 1. The secretary of financial institutions or his or her designee.

11 2. One member who has a favorable reputation for skill, knowledge, and  
12 experience in the field of retirement saving and investments, appointed by the  
13 governor.

14 3. One member who has a favorable reputation for skill, knowledge, and  
15 experience relating to small business, appointed by the governor.

16 4. One member who is a representative of an association representing  
17 employees or who has a favorable reputation for skill, knowledge, and experience in  
18 the interests of employees in retirement saving, appointed by the speaker of the  
19 assembly.

20 5. One member who has a favorable reputation for skill, knowledge, and  
21 experience in the interests of employers in retirement saving, appointed by the  
22 president of the senate.



1           6. One member who has a favorable reputation for skill, knowledge, and  
2           experience in retirement investment products or retirement plan designs, appointed  
3           by the secretary of financial institutions.

4           7. One member appointed by the investment board.

5           (b) The members under par. (a) 2. to 7. shall be appointed for 4-year terms.

6           **SECTION 17.** 16.705 (1b) (d) of the statutes is amended to read:

7           16.705 **(1b)** (d) The department of financial institutions under s. 224.51 or the  
8           small business retirement savings board under s. 224.56.

9           **SECTION 18.** 16.71 (5r) of the statutes is amended to read:

10          16.71 **(5r)** The department shall delegate authority to the department of  
11          financial institutions to enter into vendor contracts under s. 224.51 and to the small  
12          business retirement savings board to enter into vendor contracts under s. 224.56.

13          **SECTION 19.** 20.144 (4) (title) of the statutes is created to read:

14          20.144 **(4)** (title) SMALL BUSINESS RETIREMENT SAVINGS PROGRAM.

15          **SECTION 20.** 20.144 (4) (a) of the statutes is created to read:

16          20.144 **(4)** (a) *General program operations.* The amounts in the schedule for  
17          the small business retirement savings program under s. 224.56.

18          **SECTION 21.** 20.144 (4) (g) of the statutes is created to read:

19          20.144 **(4)** (g) *Program operations; other funds.* All moneys received for the  
20          small business retirement savings program under s. 224.56, for the purposes for  
21          which received.

22          **SECTION 22.** 224.56 of the statutes is created to read:

23          **224.56 Small business retirement savings program. (1) DEFINITIONS.** In  
24          this section:

1 (a) "Account" means a retirement savings account established for an eligible  
2 employee under the program under this section.

3 (b) "Board" means the small business retirement savings board.

4 (c) "Eligible employee" means an individual who resides in this state and who  
5 is any of the following:

6 1. Employed by a private employer that does not offer a retirement savings  
7 plan.

8 2. Employed by a private employer and not eligible to participate in a  
9 retirement savings plan offered by the private employer.

10 (d) "Investment administrator" means the vendor with which the board has  
11 contracted under sub. (2) (b).

12 (e) "Participating employer" means a private employer that qualifies for and  
13 has elected to participate in the program as provided in sub. (4) (a).

14 (f) "Roth IRA" has the meaning given in 26 USC 408A (b).

15 (g) "Traditional IRA" means an individual retirement account under 26 USC  
16 408.

17 **(2) ESTABLISHMENT OF PROGRAM.** (a) Subject to par. (b), the board shall establish  
18 and oversee a small business retirement savings program that meets the  
19 requirements specified in this section.

20 (b) After soliciting competitive sealed proposals under s. 16.75 (2m), the board  
21 shall select and contract with a vendor to provide the following services in  
22 administering the small business retirement savings program:

23 1. Investment services.

24 2. Accounting and record-keeping services.

25 3. Any other professional services considered necessary by the board.

1           **(3) GENERAL PROGRAM REQUIREMENTS.** The board shall design the program  
2 under this section so that it meets all of the following requirements:

3           (a) The program allows eligible employees to contribute to their accounts  
4 through payroll deductions and requires participating employers to withhold from  
5 employees' wages, through payroll deductions, employees' account contributions and  
6 remit those contributions directly to the investment administrator.

7           (b) Subject to the record-keeping requirement under sub. (6) (b), the program  
8 allows the investment administrator to pool accounts for investment purposes and  
9 designates the investment administrator as the trustee of account contributions and  
10 earnings.

11           (c) The administrative costs of the program are low, and the fee that the  
12 investment administrator may charge an eligible employee is limited to a fixed  
13 monthly fee in an amount approved by the board.

14           (d) The program does not require an eligible employee to maintain a minimum  
15 account balance if the employee makes contributions to the account each pay period.

16           (e) The program allows account consolidation and roll over, including roll over  
17 to a retirement savings option not part of the program to the extent allowed under  
18 the Internal Revenue Code.

19           (f) The program allows an eligible employee who has established an account to  
20 continue the account after separating from employment with a participating  
21 employer if the account is maintained with a positive balance.

22           (g) The program incorporates maximum contribution limits established by the  
23 board in accordance with the Internal Revenue Code contribution limits for Roth  
24 IRAs, separately and in combination with traditional IRAs, as well as any similar

1 contribution limit for account types other than a Roth IRA if the account type is  
2 offered under sub. (5) (a) 2.

3 **(4) PARTICIPATING EMPLOYERS; ELIGIBLE EMPLOYEES.** (a) A private employer may  
4 participate in the program under this section if all of the following apply:

5 1. The employer does not offer a retirement savings plan to all employees.

6 2. The employer provides notice to the board, in the form and manner  
7 prescribed by the board, of the employer's election to participate in the program and  
8 the employer certifies that, on the date of this notice, the employer had 50 or fewer  
9 employees.

10 3. The employer has at least one employee who is a resident of this state.

11 (b) After a private employer has elected under par. (a) to participate in the  
12 program, the employer shall provide notice to each of its eligible employees of the  
13 eligible employee's right to decline participation in the program. After providing this  
14 notice, the employer shall enroll the eligible employee in the program unless the  
15 eligible employee informs the employer of the eligible employee's decision not to  
16 participate in the program.

17 **(5) SPECIFIC PROGRAM REQUIREMENTS.** (a) 1. Except as provided in subd. 2., the  
18 program under this section shall provide for an eligible employee who has enrolled  
19 in the program to make contributions to a Roth IRA account.

20 2. The program may also offer options for account types other than a Roth IRA,  
21 and if other options are offered, the program shall allow an enrolled eligible employee  
22 to select any of these other account types for investing contributions under the  
23 program.

1 (b) 1. The program under this section shall provide an eligible employee who  
2 has enrolled in the program with at least 5 investment options within each account  
3 type, including all of the following investment options:

4 a. A stable value or capital preservation fund.

5 b. A target date index fund or age-based fund that automatically rebalances  
6 asset allocations based on the eligible employee's age.

7 c. A low-cost fund focused on income generation.

8 d. A low-cost fund focused on asset growth.

9 e. A low-cost fund focused on balancing risk and return.

10 2. The program under this section shall require the investment administrator  
11 to offer to each enrolled eligible employee, before the employee makes his or her  
12 investment selections, a tool allowing the employee to identify the employee's risk  
13 tolerance and projected retirement date as an aid to the employee in selecting  
14 suitable investments under the program.

15 3. The program under this section shall require that the first \$1,000 of an  
16 enrolled eligible employee's contributions be deposited in a fund described in subd.

17 1. a. and thereafter, unless the employee selects a different investment option, the  
18 employee's contributions be deposited in a fund described in subd. 1. b.

19 (c) 1. Except as provided in subds. 3. and 4., during an eligible employee's first  
20 year of enrollment in the program, the participating employer's payroll deduction  
21 each pay period shall be at a rate of 5 percent of the employee's gross wages, and this  
22 deducted amount shall be remitted to the investment administrator as the  
23 employee's account contribution.

1           2. Except as provided in subds. 3. and 4., a participating employer shall  
2 increase the payroll deduction rate under subd. 1. by 1 percent per year until a  
3 maximum payroll deduction rate of 10 percent is reached.

4           3. An enrolled eligible employee may elect a different payroll deduction rate  
5 than that provided for in subds. 1. and 2., except the rate may not be less than 1  
6 percent nor more than 10 percent.

7           4. A participating employer shall make a good faith effort to establish an  
8 employee's payroll deduction at a rate that will not result in the employee's total  
9 annual contributions exceeding the contribution limits established under sub. (3) (g),  
10 but the participating employer is not responsible if excess contributions occur.

11           **(6) RECORD-KEEPING REQUIREMENTS.** (a) Subject to par. (b), the board shall  
12 establish the record-keeping requirements for the investment administrator,  
13 including the nature and extent of the record-keeping services and performance  
14 metrics for measuring compliance with these requirements.

15           (b) The program shall require the maintenance of separate records and  
16 accounting for each account.

17           **(7) ABANDONED ACCOUNTS.** (a) An account is considered abandoned if any of the  
18 following applies:

19           1. There has been no account activity for at least 6 months and the account  
20 balance is less than \$250.

21           2. There has been no account activity for at least 2 years.

22           (b) If an account is considered abandoned under par. (a), the investment  
23 administrator shall close the account and disburse the account balance to the  
24 individual who established the account.

1           **(8) POWERS OF BOARD; DEPARTMENTAL ASSISTANCE; RULES.** (a) The board may do  
2 any of the following:

3           1. In establishing the program under this section, create or impose any  
4 requirement or condition not inconsistent with this section that the board considers  
5 necessary for the effective functioning and widespread utilization of the program.

6           2. Enter into contracts or other arrangements for any services necessary for  
7 establishing and overseeing the program under this section or for otherwise carrying  
8 out the purposes of this section, including the services of financial institutions,  
9 attorneys, investment advisers, accountants, consultants, and other professionals.

10          3. Exercise any other powers necessary to establish and oversee the program  
11 under this section or otherwise carry out the purposes of this section.

12          4. Promulgate rules to carry out the purposes of this section.

13          (b) The department shall provide the board with any assistance necessary to  
14 carry out the purposes of this section, including staff, equipment, and office space.  
15 The board may delegate to the department responsibility for carrying out any  
16 day-to-day board function related to the program under this section.

17           **SECTION 9116. Nonstatutory provisions; Financial Institutions.**

18          (1) **SMALL BUSINESS RETIREMENT SAVINGS BOARD; STAGGERED TERMS.**  
19 Notwithstanding the length of terms specified for the members of the small business  
20 retirement savings board under s. 15.185 (6) (b), the members appointed under s.  
21 15.185 (6) (a) 2., 4., and 6. shall be appointed for initial terms expiring on May 1, 2025.

22          (2) **SMALL BUSINESS RETIREMENT SAVINGS PROGRAM POSITION.** The authorized FTE  
23 positions for the department of financial institutions are increased by 1.0 PR  
24 position, to be funded from the appropriation under s. 20.144 (4) (g), to establish and  
25 administer the small business retirement savings program under s. 224.56.”.

1 **113.** Page 374, line 11: after that line insert:

2 “**SECTION 23.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
3 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
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4 **20.437 Children and families, department of**

5 (2) ECONOMIC SUPPORT

6 (c) Child care quality improvement pro-  
7 gram

GPR	A	81,389,400	221,000,000”.
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8 **SECTION 24.** 20.437 (2) (c) of the statutes is created to read:

9 20.437 (2) (c) *Child care quality improvement program.* The amounts in the  
10 schedule for the program under s. 49.133.

11 **SECTION 25.** 49.133 of the statutes is created to read:

12 **49.133 Child care quality improvement program. (1)** The department  
13 may establish a program under which it may, from the appropriation under s. 20.437  
14 (2) (c) and under s. 49.175 (1) (qm), make monthly payments and monthly per-child  
15 payments to child care providers certified under s. 48.651, child care centers licensed  
16 under s. 48.65, and child care programs established or contracted for by a school  
17 board under s. 120.13 (14).

18 (2) The department may promulgate rules to implement the program under  
19 this section, including establishing eligibility requirements and payment amounts  
20 and setting requirements for how recipients may use the payments.

21 **SECTION 26.** 49.155 (6) (e) 2. of the statutes is repealed.

22 **SECTION 27.** 49.155 (6) (e) 3. (intro.) of the statutes is amended to read:



1           49.155 (6) (e) 3. (intro.) The department may modify a child care provider’s  
2           maximum payment rate under subd. 2. pars. (a) to (c) on the basis of the provider’s  
3           quality rating, as described in the quality rating plan, in the following manner:

4           (2a) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under s.  
5           227.24, the department of children and families may promulgate the rules  
6           authorized under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1) (a)  
7           and (3), the department of children and families is not required to provide evidence  
8           that promulgating a rule under this subsection as an emergency rule is necessary for  
9           the preservation of the public peace, health, safety, or welfare and is not required to  
10          provide a finding of emergency for a rule promulgated under this subsection.”.

11          **114.** Page 374, line 11: after that line insert:

12          “**SECTION 28.** 16.3069 of the statutes is created to read:

13          **16.3069 Whole-home upgrade grants.** (1) GRANTS. (a) From the  
14          appropriation under s. 20.505 (7) (fr), the department shall award one or more grants  
15          to the Walnut Way Conservation Corporation and Elevate, Inc., for the purpose of  
16          funding home improvements in low-income households in a 1st class city that have  
17          one or more of the following goals:

- 18               1. Reducing carbon emissions.
- 19               2. Reducing energy burdens.
- 20               3. Creating cost savings.
- 21               4. Creating healthier living environments.

22          (b) The department may establish eligibility requirements and other program  
23          guidelines for the grant program under this subsection.

24          (2) SUNSET. No grants may be awarded under sub. (1) after June 30, 2025.

1           **SECTION 29.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
2 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
3 <b>20.505 Administration, department of</b>		

4   (7)   HOUSING AND COMMUNITY DEVELOPMENT

5   (fr)   Whole-home upgrade grants	GPR	B	7,250,000	-0-
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6           **SECTION 30.** 20.505 (7) (fr) of the statutes is created to read:

7           20.505 (7) (fr) *Whole-home upgrade grants.* Biennially, the amounts in the  
8 schedule for grants under s. 16.3069.”.

9           **115.** Page 374, line 11: after that line insert:

10          “**SECTION 31.** 20.144 (1) (g) of the statutes is amended to read:

11          20.144 (1) (g) *General program operations.* The amounts in the schedule for  
12 the general program operations of the department of financial institutions. Except  
13 as provided in pars. (a), (h), (i), (j), and (u) and sub. (3), all moneys received by the  
14 department, other than by the office of credit unions and the division of banking, and  
15 88 percent of all moneys received by the office of credit unions and the department’s  
16 division of banking shall be credited to this appropriation, but any balance at the  
17 close of a fiscal year under this appropriation shall lapse to the general fund.  
18 Annually, ~~\$150,000~~ \$260,000 of the amounts received under this appropriation  
19 account shall be transferred to the appropriation account under s. 20.575 (1) (g).”.

20          **116.** Page 374, line 11: after that line insert:

21          “**SECTION 32.** 71.05 (6) (a) 28. of the statutes is amended to read:

1           71.05 (6) (a) 28. Upon the termination of an account as described under s.  
2           16.643 or 224.55, any amount in the account that is returned to an account owner's  
3           estate.

4           **SECTION 33.** 224.55 of the statutes is created to read:

5           **224.55 Support accounts for individuals with disabilities. (1)**

6           DEFINITIONS. In this section:

7           (a) "ABLE account" means an account established under an ABLE program.

8           (b) "ABLE program" means a qualified ABLE program under section 529A of  
9           the Internal Revenue Code.

10          **(2) DEPARTMENT TO ESTABLISH ABLE PROGRAM.** (a) *Implementation directly or*  
11          *by agreement.* The department shall implement and administer an ABLE program,  
12          either directly or by entering into a formal or informal agreement with another state,  
13          or with an entity representing an alliance of states, to establish an ABLE program  
14          or otherwise administer ABLE program services for the residents of this state.

15          (b) *Review of other states' partnership programs.* The department shall review  
16          section 529A ABLE state partnership programs offered by other states and, no later  
17          than the first day of the 10th month beginning after the effective date of this  
18          paragraph .... [LRB inserts date], determine whether, as the best option for  
19          Wisconsin residents, the department will implement the ABLE program under par.  
20          (a) directly or by entering into an agreement.

21          (c) *Agreement terms.* An agreement under par. (a) may require the party  
22          contracting with the department, in addition to providing any other services, to do  
23          any of the following:

24                1. Develop and implement an ABLE program in accordance with all  
25                requirements under section 529A of the Internal Revenue Code, and modify this

1 ABLE program as necessary for participants in the ABLE program to qualify for the  
2 federal income tax benefits or treatment provided under section 529A of the Internal  
3 Revenue Code and rules adopted under section 529A.

4 2. Engage the services of vendors on a contractual basis for rendering  
5 professional and technical assistance and advice in developing marketing plans and  
6 promotional materials to publicize the ABLE program.

7 3. Work with organizations with expertise in supporting people with  
8 disabilities and their families in administering the agreement and ensuring  
9 accessibility of the ABLE program for people with disabilities.

10 4. Take any other action necessary to implement and administer the ABLE  
11 program.

12 (d) *Information about ABLE accounts.* The department shall include on its  
13 website information concerning ABLE accounts.

14 (3) CONFIDENTIALITY. The department shall keep confidential any personal and  
15 financial information maintained by the department relating to an ABLE account.

16 (4) FUNDING; RULES. (a) All expenses incurred by the department under this  
17 section shall be paid from the appropriation under s. 20.144 (1) (g).

18 (b) The department may promulgate rules to implement and administer this  
19 section.”.

20 **117.** Page 374, line 11: after that line insert:

21 “SECTION 34. 16.3078 of the statutes is created to read:

22 **16.3078 Rental assistance grants for homeless veterans.** From the  
23 appropriation under s. 20.505 (7) (bq), the department shall award grants to each  
24 continuum of care organization in this state designated by the federal department

1 of housing and urban development. All grant funds shall be used to provide  
2 tenant-based rental assistance to homeless veterans in this state.

3 **SECTION 35.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
4 insert the following amounts for the purposes indicated:

**2023-24      2024-25**

5 **20.505 Administration, department of**

6 (7) HOUSING AND COMMUNITY DEVELOPMENT

7 (bq) Rental assistance for homeless

8	veterans	GPR	A	1,000,000	1,000,000
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9 **SECTION 36.** 20.505 (7) (bq) of the statutes is created to read:

10 20.505 (7) (bq) *Rental assistance for homeless veterans.* The amounts in the  
11 schedule for the rental assistance grants awarded under s. 16.3078.”.

12 **118.** Page 374, line 11: after that line insert:

13 **“SECTION 37.** 13.121 (4) of the statutes is amended to read:

14 13.121 (4) INSURANCE. For the purpose of premium determinations under s.  
15 40.05 (4) and ~~(5)~~ each member of the legislature shall accrue sick leave at a rate  
16 equivalent to a percentage of time worked recommended for such positions by the  
17 administrator of the division of personnel management in the department of  
18 administration and approved by the joint committee on employment relations in the  
19 same manner as compensation for such positions is determined under s. 20.923. This  
20 percentage of time worked shall be applied to the sick leave accrual rate established  
21 under s. 230.35 (2). The approved percentage shall be incorporated into the  
22 compensation plan under s. 230.12 (1).

23 **SECTION 38.** 40.03 (1) (i) of the statutes is amended to read:

1           40.03 (1) (i) May determine that some or all of the disability annuities and  
2 death benefits provided from the Wisconsin retirement system shall instead be  
3 provided through group insurance plans ~~to be established by the group insurance~~  
4 ~~board~~ either as separate plans or as integral parts of the group life and income  
5 continuation insurance plans established under this chapter.

6           **SECTION 39.** 40.03 (1) (p) of the statutes is amended to read:

7           40.03 (1) (p) May, upon the recommendation of the actuary, transfer in whole  
8 or in part the assets and reserves held in any account described in s. 40.04 (9) to a  
9 different account described in s. 40.04 (9), for the purpose of providing any group  
10 insurance benefit ~~offered by the group insurance board~~.

11           **SECTION 40.** 40.03 (1) (q) of the statutes is created to read:

12           40.03 (1) (q) For the purposes of the group income continuation insurance plan  
13 established under ss. 40.61 and 40.62 and the group long-term disability insurance  
14 plan established under s. 40.64:

15           1. May, on behalf of the state, enter into a contract or contracts with one or more  
16 insurers authorized to transact insurance business in this state for the purpose of  
17 providing the plans.

18           2. May, wholly or partially in lieu of subd. 1., on behalf of the state, provide the  
19 plans on a self-insured basis.

20           3. May take any action as trustees that is considered advisable and not  
21 specifically prohibited or delegated to some other governmental agency to carry out  
22 the purpose and intent of the plans.

23           4. May apportion all excess moneys becoming available to the board through  
24 operation of the plans to reduce premium payments in following contract years or to  
25 establish reserves to stabilize costs in subsequent years. If the board determines

1 that the excess became available due to favorable experience of specific groups of  
2 employers or specific employee groups, the board may make the apportionment in  
3 a manner designated to benefit the specific employers or employee groups only or to  
4 a greater extent than other employers and employee groups.

5 5. Shall take prompt action to liquidate any actuarial or cash deficit that occurs  
6 in the accounts and reserves maintained in the fund for the plans.

7 6. Shall accept timely appeals of determinations made by the department  
8 affecting any right or benefit under the plans.

9 **SECTION 41.** 40.03 (2) (i) of the statutes is amended to read:

10 40.03 (2) (i) ~~Shall~~ Except as provided under pars. (ig) and (ir), shall promulgate,  
11 ~~with the approval of the board, all rules, except rules promulgated under par. (ig) or~~  
12 ~~(ir), that are required for the efficient administration of the fund or of any of the~~  
13 ~~benefit plans established by this chapter. In addition to being approved by the board,~~  
14 and shall promulgate rules as necessary for a group long-term disability insurance  
15 plan established under s. 40.64. All rules promulgated under this paragraph are  
16 subject to board approval under sub. (1) (m). Except for rules promulgated under s.  
17 40.30 (6), the rules promulgated under this paragraph relating to teachers must be  
18 approved are subject to approval by the teachers retirement board and under sub.  
19 (7) (d). Except for rules promulgated under s. 40.30 (6), the rules promulgated under  
20 this paragraph relating to participants other than teachers must be approved are  
21 subject to approval by the Wisconsin retirement board, ~~except rules promulgated~~  
22 ~~under s. 40.30 sub. (8) (d).~~

23 **SECTION 42.** 40.03 (2) (ig) of the statutes is amended to read:

24 40.03 (2) (ig) Shall promulgate, with the approval of the group insurance board,  
25 all rules required for the administration of the group health, long-term care, income

1 ~~continuation~~ or life insurance plans established under subchs. IV ~~to~~ and VI and  
2 health savings accounts under subch. IV.

3 **SECTION 43.** 40.03 (6) (intro.) of the statutes is amended to read:

4 40.03 **(6)** GROUP INSURANCE BOARD. (intro.) ~~The~~ With respect to the group  
5 insurance plans provided for by this chapter other than the group income  
6 continuation insurance plan established under ss. 40.61 and 40.62 and the group  
7 long-term disability insurance plan established under s. 40.64, the group insurance  
8 board:

9 **SECTION 44.** 40.03 (6) (a) 1. of the statutes is amended to read:

10 40.03 **(6)** (a) 1. Except as provided in par. (m), shall, on behalf of the state, enter  
11 into a contract or contracts with one or more insurers authorized to transact  
12 insurance business in this state for the purpose of providing the group insurance  
13 plans ~~provided for by this chapter~~; or

14 **SECTION 45.** 40.03 (6) (d) (intro.) of the statutes is amended to read:

15 40.03 **(6)** (d) (intro.) May take any action as trustees ~~which~~ that is deemed  
16 advisable and not specifically prohibited or delegated to some other governmental  
17 agency, to carry out the purpose and intent of the group insurance plans ~~provided~~  
18 ~~under this chapter~~, including, but not limited to, provisions in the appropriate  
19 contracts relating to:

20 **SECTION 46.** 40.03 (6) (i) of the statutes is amended to read:

21 40.03 **(6)** (i) Shall accept timely appeals of determinations made by the  
22 department affecting any right or benefit under any group insurance plan ~~provided~~  
23 ~~for under this chapter~~ that is overseen by the group insurance board.

24 **SECTION 47.** 40.05 (5) (intro.) of the statutes is renumbered 40.05 (5) and  
25 amended to read:



1           40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. For the group income  
2 continuation insurance provided under subch. V ss. 40.61 and 40.62, the employee  
3 shall pay the amount remaining after the employer has contributed ~~the following an~~  
4 amount equal to the gross premium payable for insurance coverage that includes the  
5 longest waiting period available to the employee under the insurance contract by  
6 rule or, if different, the amount determined under a collective bargaining agreement  
7 under subch. V of ch. 111 or s. 230.12 or 233.10.

8           **SECTION 48.** 40.05 (5) (a) of the statutes is repealed.

9           **SECTION 49.** 40.05 (5) (b) of the statutes is repealed.

10           **SECTION 50.** 40.23 (1) (bm) of the statutes is renumbered 40.23 (1) (bm) 1. and  
11 amended to read:

12           40.23 (1) (bm) 1. If an application by a participant age 55 or over, or by a  
13 protective occupation participant age 50 or over, for group long-term disability  
14 insurance benefits under s. 40.64 is disapproved under rules promulgated by the  
15 department, the date which would have been the effective date for the insurance  
16 benefits ~~shall be~~ is the retirement annuity effective date if requested by the applicant  
17 within 60 days of the disapproval or, if the disapproval is appealed, within 60 days  
18 of the final disposition of the appeal.

19           **SECTION 51.** 40.61 (1) of the statutes is amended to read:

20           40.61 (1) The procedures and provisions pertaining to enrollment, premium  
21 transmitted and coverage of eligible employees for group income continuation  
22 benefits shall be established by contract or rule except as otherwise specifically  
23 provided by this chapter.

24           **SECTION 52.** 40.61 (2) of the statutes is amended to read:

1           40.61 (2) Except as provided in sub. (4), ~~any~~ an eligible employee may become  
2 covered by group income continuation insurance by electing coverage within 30 days  
3 of initial eligibility, to be effective as of the first day of the month that first occurs  
4 during the 30-day period, or by electing coverage within 60 days of initially becoming  
5 eligible for a higher level of employer contribution towards the premium cost to be  
6 effective as of the first day of the month following the date of eligibility for teachers  
7 employed by the university and effective as of the following April 1 for all other  
8 employees. ~~Any~~ An employee who does not so elect at one of these times, or who  
9 subsequently cancels the insurance, may not thereafter become insured unless the  
10 employee furnishes evidence of insurability under the terms of the contract, or as  
11 otherwise provided by rule for employees under sub. (3), at the employee's own  
12 expense or obtains coverage subject to contractual waiting periods if contractual  
13 waiting periods are provided for by the contract or by rule for employees under sub.  
14 (3). An employee who furnishes satisfactory evidence of insurability under the terms  
15 of the contract shall become insured as of the first day of the month following the date  
16 of approval of evidence. The method to be used shall be determined by the group  
17 insurance board under sub. (1).

18           **SECTION 53.** 40.61 (2) of the statutes, as affected by 2023 Wisconsin Act .... (this  
19 act), is amended to read:

20           40.61 (2) Except as provided in sub. (4), an eligible employee may become  
21 covered by group income continuation insurance by electing coverage within 30 days  
22 of initial eligibility, to be effective as of the first day of the month that first occurs  
23 during the 30-day period, ~~or by electing coverage within 60 days of initially becoming~~  
24 ~~eligible for a higher level of employer contribution towards the premium cost to be~~  
25 ~~effective as of the first day of the month following the date of eligibility for teachers~~

1     ~~employed by the university and effective as of the following April 1 for all other~~  
2     ~~employees. An employee who does not so elect at one of these times, or who~~  
3     ~~subsequently cancels the insurance, may not thereafter become insured unless the~~  
4     ~~employee furnishes evidence of insurability under the terms of the contract, or as~~  
5     ~~otherwise provided by rule for employees under sub. (3), at the employee's own~~  
6     ~~expense or obtains coverage subject to contractual waiting periods if contractual~~  
7     ~~waiting periods are provided for by the contract or by rule for employees under sub.~~  
8     (3). An employee who furnishes satisfactory evidence of insurability under the terms  
9     of the contract shall become insured as of the first day of the month following the date  
10    of approval of evidence. The method to be used shall be determined by the board  
11    under sub. (1).

12           **SECTION 54.** 40.61 (3) of the statutes is amended to read:

13           40.61 (3) ~~Any~~ An employer under s. 40.02 (28), other than the state, may offer  
14    to all of its employees an a group income continuation insurance plan through a  
15    program offered by the ~~group insurance~~ board. Notwithstanding sub. (2) and ss.  
16    40.05 (5) and 40.62, the department may by rule establish different eligibility  
17    standards or contribution requirements for ~~such~~ those employees and employers and  
18    may by rule limit the categories of employers ~~which~~ that may be included as  
19    participating employers under this subchapter.

20           **SECTION 55.** 40.62 (1) of the statutes is amended to read:

21           40.62 (1) The ~~group insurance~~ board shall establish an a group income  
22    continuation insurance plan providing for full or partial payment of the financial loss  
23    of earnings incurred as a result of injury or illness with separate provisions for  
24    short-term insurance with a benefit duration of no more than one year and  
25    long-term insurance covering injury or illness of indefinite duration. ~~Employees~~ An

1 ~~employee insured under the plan shall be~~ is eligible for benefits upon exhaustion of  
2 accumulated sick leave and completion of the ~~elimination~~ waiting period established  
3 by the ~~group insurance~~ board.

4 **SECTION 56.** 40.62 (1) of the statutes, as affected by 2023 Wisconsin Act .... (this  
5 act), is renumbered 40.62 and amended to read:

6 **40.62 Income continuation insurance benefits.** The board shall establish  
7 a group income continuation insurance plan providing for full or partial payment of  
8 the financial loss of earnings incurred as a result of injury or illness ~~with separate~~  
9 ~~provisions for short-term insurance with a benefit duration of no more than one year~~  
10 ~~and long-term insurance covering injury or illness of indefinite duration.~~ An  
11 employee insured under the plan is eligible for benefits upon ~~exhaustion of~~  
12 ~~accumulated sick leave and completion of the~~ a waiting period selected by the  
13 employee from the available options established by the board.

14 **SECTION 57.** 40.62 (1m) of the statutes is repealed.

15 **SECTION 58.** 40.62 (2) of the statutes is repealed.

16 **SECTION 59.** 40.63 (7) of the statutes is renumbered 40.23 (1) (bm) 2.

17 **SECTION 60.** 40.64 of the statutes is created to read:

18 **40.64 Long-term disability insurance coverage.** The board may establish  
19 a group long-term disability insurance plan.

20 **SECTION 61.** 757.02 (5) of the statutes is amended to read:

21 757.02 (5) Except for retired judges appointed under s. 753.075, each supreme  
22 court justice, court of appeals judge and circuit court judge included under ch. 40  
23 shall accrue sick leave at the rate established under s. 230.35 (2) for the purpose of  
24 credits under s. 40.05 (4) (b) and for premium payment determinations under s. 40.05  
25 (4) ~~and (5).~~

1           **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

2           (1k) TRANSFER OF OVERSIGHT OF GROUP DISABILITY BENEFIT INSURANCE PLANS.

3           (a) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the group insurance board that is  
5 primarily related to the group income continuation insurance plan or long-term  
6 disability insurance plan, as determined by the secretary of employee trust funds,  
7 is transferred to the employee trust funds board.

8           (b) *Contracts.* All contracts entered into by the group insurance board in effect  
9 on the effective date of this paragraph that are primarily related to the group income  
10 continuation insurance plan or long-term disability insurance plan, as determined  
11 by the secretary of employee trust funds, remain in effect and are transferred to the  
12 employee trust funds board. The employee trust funds board shall carry out any  
13 obligations under those contracts unless modified or rescinded by the employee trust  
14 funds board to the extent allowed under the contract.

15           (c) *Rules.* All rules promulgated by the secretary of employee trust funds and  
16 approved by the group insurance board in effect on the effective date of this  
17 paragraph that are primarily related to the group income continuation insurance  
18 plan or long-term disability insurance plan remain in effect until their specified  
19 expiration dates or until amended or repealed by the employee trust funds board.

20           (d) *Pending matters.* Any matter pending with the group insurance board on  
21 the effective date of this paragraph that is primarily related to the group income  
22 continuation insurance plan or long-term disability insurance plan, as determined  
23 by the secretary of employee trust funds, is transferred to the employee trust funds  
24 board. All materials submitted to or actions taken by the group insurance board with

1 respect to the pending matter are considered as having been submitted to or taken  
2 by the employee trust funds board.

3 **SECTION 9313. Initial applicability; Employee Trust Funds.**

4 (1k) INCOME CONTINUATION INSURANCE PREMIUMS. The treatment of ss. 13.121 (4),  
5 40.05 (5) (intro.), (a), and (b), and 757.02 (5) first applies to premiums paid on the  
6 effective date of this subsection.

7 **SECTION 9413. Effective dates; Employee Trust Funds.**

8 (1k) INCOME CONTINUATION INSURANCE PREMIUMS; ELECTION OF INCOME  
9 CONTINUATION INSURANCE COVERAGE; ELIGIBILITY FOR INCOME CONTINUATION INSURANCE  
10 BENEFITS. The treatment of ss. 13.121 (4), 40.05 (5) (intro.), (a), and (b), 40.61 (2) (by  
11 SECTION 53), 40.62 (1m) and (2), and 757.02 (5), the renumbering and amendment of  
12 s. 40.62 (1), and SECTION 9313 (1k) of this act take effect on January 1, 2025.”.

13 **119.** Page 374, line 11: after that line insert:

14 “**SECTION 62.** 40.03 (1) (i) of the statutes is amended to read:

15 40.03 (1) (i) May determine that some or all of the disability annuities and  
16 death benefits provided from the Wisconsin retirement system shall instead be  
17 provided through group insurance plans ~~to be established by the group insurance~~  
18 ~~board~~ either as separate plans or as integral parts of the group life and income  
19 continuation insurance plans established under this chapter.

20 **SECTION 63.** 40.03 (1) (p) of the statutes is amended to read:

21 40.03 (1) (p) May, upon the recommendation of the actuary, transfer in whole  
22 or in part the assets and reserves held in any account described in s. 40.04 (9) to a  
23 different account described in s. 40.04 (9), for the purpose of providing any group  
24 insurance benefit ~~offered by the group insurance board.~~

1           **SECTION 64.** 40.03 (1) (q) of the statutes is created to read:

2           40.03 (1) (q) For the purposes of the group income continuation insurance plan  
3 established under ss. 40.61 and 40.62 and the group long-term disability insurance  
4 plan established under s. 40.64:

5           1. May, on behalf of the state, enter into a contract or contracts with one or more  
6 insurers authorized to transact insurance business in this state for the purpose of  
7 providing the plans.

8           2. May, wholly or partially in lieu of subd. 1., on behalf of the state, provide the  
9 plans on a self-insured basis.

10          3. May take any action as trustees that is considered advisable and not  
11 specifically prohibited or delegated to some other governmental agency to carry out  
12 the purpose and intent of the plans.

13          4. May apportion all excess moneys becoming available to the board through  
14 operation of the plans to reduce premium payments in following contract years or to  
15 establish reserves to stabilize costs in subsequent years. If the board determines  
16 that the excess became available due to favorable experience of specific groups of  
17 employers or specific employee groups, the board may make the apportionment in  
18 a manner designated to benefit the specific employers or employee groups only or to  
19 a greater extent than other employers and employee groups.

20          5. Shall take prompt action to liquidate any actuarial or cash deficit that occurs  
21 in the accounts and reserves maintained in the fund for the plans.

22          6. Shall accept timely appeals of determinations made by the department  
23 affecting any right or benefit under the plans.

24           **SECTION 65.** 40.03 (2) (i) of the statutes is amended to read:

1           40.03 (2) (i) ~~Shall~~ Except as provided under pars. (ig) and (ir), shall promulgate,  
2 with the approval of the board, all rules, ~~except rules promulgated under par. (ig) or~~  
3 ~~(ir),~~ that are required for the efficient administration of the fund or of any of the  
4 benefit plans established by this chapter. ~~In addition to being approved by the board,~~  
5 ~~rules promulgated under this paragraph relating to teachers must be approved by~~  
6 ~~the teachers retirement board and rules promulgated under this paragraph relating~~  
7 ~~to participants other than teachers must be approved by the Wisconsin retirement~~  
8 ~~board, except rules promulgated under s. 40.30 and shall promulgate rules as~~  
9 necessary for a group long-term disability insurance plan established under s. 40.64.  
10 All rules promulgated under this paragraph are subject to board approval under sub.  
11 (1) (m).

12           **SECTION 66.** 40.03 (2) (ig) of the statutes is amended to read:

13           40.03 (2) (ig) Shall promulgate, with the approval of the group insurance board,  
14 all rules required for the administration of the group health, long-term care, income  
15 continuation or life insurance plans established under subchs. IV to ~~and~~ VI and  
16 health savings accounts under subch. IV.

17           **SECTION 67.** 40.03 (6) (intro.) of the statutes is amended to read:

18           40.03 (6) GROUP INSURANCE BOARD. (intro.) ~~The~~ With respect to the group  
19 insurance plans provided for by this chapter other than the group income  
20 continuation insurance plan established under ss. 40.61 and 40.62 and the group  
21 long-term disability insurance plan established under s. 40.64, the group insurance  
22 board:

23           **SECTION 68.** 40.03 (6) (a) 1. of the statutes is amended to read:

24           40.03 (6) (a) 1. Except as provided in par. (m), shall, on behalf of the state, enter  
25 into a contract or contracts with one or more insurers authorized to transact



1 insurance business in this state for the purpose of providing the group insurance  
2 plans ~~provided for by this chapter~~; or

3 **SECTION 69.** 40.03 (6) (d) (intro.) of the statutes is amended to read:

4 40.03 (6) (d) (intro.) May take any action as trustees ~~which~~ that is deemed  
5 advisable and not specifically prohibited or delegated to some other governmental  
6 agency, to carry out the purpose and intent of the group insurance plans ~~provided~~  
7 ~~under this chapter~~, including, but not limited to, provisions in the appropriate  
8 contracts relating to:

9 **SECTION 70.** 40.03 (6) (i) of the statutes is amended to read:

10 40.03 (6) (i) Shall accept timely appeals of determinations made by the  
11 department affecting any right or benefit under any group insurance plan ~~provided~~  
12 ~~for under this chapter~~ that the group insurance board oversees.

13 **SECTION 71.** 40.23 (1) (bm) of the statutes is amended to read:

14 40.23 (1) (bm) If an application by a participant age 55 or over, or by a protective  
15 occupation participant age 50 or over, for group long-term disability insurance  
16 benefits under s. 40.64 is disapproved under rules promulgated by the department,  
17 the date which would have been the effective date for the insurance benefits ~~shall be~~  
18 is the retirement annuity effective date if requested by the applicant within 60 days  
19 of the disapproval or, if the disapproval is appealed, within 60 days of the final  
20 disposition of the appeal.

21 **SECTION 72.** 40.61 (2) of the statutes is amended to read:

22 40.61 (2) Except as provided in sub. (4), ~~any~~ an eligible employee may become  
23 covered by group income continuation insurance by electing coverage within 30 days  
24 of initial eligibility, to be effective as of the first day of the month that first occurs  
25 during the 30-day period, or by electing coverage within 60 days of initially becoming

1 eligible for a higher level of employer contribution towards the premium cost to be  
2 effective as of the first day of the month following the date of eligibility for teachers  
3 employed by the university and effective as of the following April 1 for all other  
4 employees. ~~Any~~ An employee who does not so elect at one of these times, or who  
5 subsequently cancels the insurance, may not thereafter become insured unless the  
6 employee furnishes evidence of insurability under the terms of the contract, or as  
7 otherwise provided by rule for employees under sub. (3), at the employee's own  
8 expense or obtains coverage subject to contractual waiting periods if contractual  
9 waiting periods are provided for by the contract or by rule for employees under sub.  
10 (3). An employee who furnishes satisfactory evidence of insurability under the terms  
11 of the contract shall become insured as of the first day of the month following the date  
12 of approval of evidence. The method to be used shall be determined by the ~~group~~  
13 ~~insurance~~ board under sub. (1).

14 **SECTION 73.** 40.61 (3) of the statutes is amended to read:

15 40.61 (3) ~~Any~~ An employer under s. 40.02 (28), other than the state, may offer  
16 to all of its employees ~~an~~ a group income continuation insurance plan through a  
17 program offered by the ~~group insurance~~ board. Notwithstanding sub. (2) and ss.  
18 40.05 (5) and 40.62, the department may by rule establish different eligibility  
19 standards or contribution requirements for ~~such~~ those employees and employers and  
20 may by rule limit the categories of employers ~~which~~ that may be included as  
21 participating employers under this subchapter.

22 **SECTION 74.** 40.62 (1) of the statutes is amended to read:

23 40.62 (1) The ~~group insurance~~ board shall establish ~~an~~ a group income  
24 continuation insurance plan providing for full or partial payment of the financial loss  
25 of earnings incurred as a result of injury or illness with separate provisions for

1 short-term insurance with a benefit duration of no more than one year and  
2 long-term insurance covering injury or illness of indefinite duration. ~~Employees~~ An  
3 employee insured under the plan ~~shall be~~ is eligible for benefits upon exhaustion of  
4 accumulated sick leave and completion of the ~~elimination~~ waiting period established  
5 by the ~~group insurance~~ board.

6 **SECTION 75.** 40.64 of the statutes is created to read:

7 **40.64 Long-term disability insurance coverage.** The board may establish  
8 a group long-term disability insurance plan.

9 **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

10 (1) TRANSFER OF OVERSIGHT OF GROUP DISABILITY BENEFIT INSURANCE PLANS.

11 (a) *Tangible personal property.* On the effective date of this paragraph, all  
12 tangible personal property, including records, of the group insurance board that is  
13 primarily related to the group income continuation insurance plan or long-term  
14 disability insurance plan, as determined by the secretary of employee trust funds,  
15 is transferred to the employee trust funds board.

16 (b) *Contracts.* All contracts entered into by the group insurance board in effect  
17 on the effective date of this paragraph that are primarily related to the group income  
18 continuation insurance plan or long-term disability insurance plan, as determined  
19 by the secretary of employee trust funds, remain in effect and are transferred to the  
20 employee trust funds board. The employee trust funds board shall carry out any  
21 obligations under those contracts unless modified or rescinded by the employee trust  
22 funds board to the extent allowed under the contract.

23 (c) *Rules.* All rules promulgated by the secretary of employee trust funds and  
24 approved by the group insurance board in effect on the effective date of this  
25 paragraph that are primarily related to the group income continuation insurance

1 plan or long-term disability insurance plan remain in effect until their specified  
2 expiration dates or until amended or repealed by the employee trust funds board.

3 (d) *Pending matters.* Any matter pending with the group insurance board on  
4 the effective date of this paragraph that is primarily related to the group income  
5 continuation insurance plan or long-term disability insurance plan, as determined  
6 by the secretary of employee trust funds, is transferred to the employee trust funds  
7 board. All materials submitted to or actions taken by the group insurance board with  
8 respect to the pending matter are considered as having been submitted to or taken  
9 by the employee trust funds board.”.

10 **120.** Page 374, line 11: after that line insert:

11 “**SECTION 76.** 15.165 (title) of the statutes is amended to read:

12 **15.165** (title) **Same; attached boards and offices.**

13 **SECTION 77.** 15.165 (5) of the statutes is created to read:

14 15.165 (5) **OFFICE OF INTERNAL AUDIT.** There is created an office of internal audit  
15 that is attached to the department of employee trust funds under s. 15.03. The office  
16 shall be under the direction and supervision of an internal auditor who shall be  
17 appointed by the employee trust funds board in the classified service. The internal  
18 auditor shall report directly to the employee trust funds board.

19 **SECTION 78.** 40.03 (1) (dm) of the statutes is created to read:

20 40.03 (1) (dm) Shall develop and implement policies, principles, and directives  
21 for the office of internal audit and determine the qualifications of and appoint, in the  
22 classified service, staff for the office of internal audit. Staff appointed under this  
23 paragraph shall report directly to the board.

24 **SECTION 79.** 40.03 (4m) of the statutes is created to read:

1           40.03 (4m) OFFICE OF INTERNAL AUDIT. (a) The office of internal audit shall  
2 provide independent assurance that the public employee trust fund assets under the  
3 control of the department are safeguarded for the purpose of ensuring the fulfillment  
4 of the benefit commitments to individuals under this chapter.

5           (b) The internal auditor may review any activity, information, or record of the  
6 department that relates to the administration of the fund.

7           (c) The internal auditor shall plan and conduct audit activities, including  
8 external audits, risk assessments, research projects, and management reviews,  
9 under the direction of the board and in accordance with policies, principles, and  
10 directives determined by the board.

11           (d) The internal auditor shall monitor the department's compliance with  
12 applicable legal requirements and contracts entered into by the department and the  
13 board.

14           **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

15           (1) INCUMBENT INTERNAL AUDITOR. The individual holding the position of  
16 internal auditor in the department of employee trust funds on the day before the  
17 effective date of this subsection shall continue to serve in that position until an  
18 internal auditor is appointed under s. 15.165 (5).

19           (2) INCUMBENT STAFF. Individuals holding positions as staff internal auditors  
20 in the department of employee trust funds on the day before the effective date of this  
21 subsection shall continue to serve in those positions until staff are appointed under  
22 s. 40.03 (1) (dm).”.

23           **121.** Page 374, line 11: after that line insert:

24           “SECTION 80. 40.04 (3) (a) of the statutes is amended to read:

1           40.04 (3) (a) The net gain or loss of the variable retirement investment trust  
2 shall be distributed annually on December 31 to each participating account in the  
3 same ratio as each account's average daily balance within the respective trust bears  
4 to the total average daily balance of all participating accounts in the trust. The  
5 amount to be distributed shall be the excess of the increase within the period in the  
6 value of the assets of the trust resulting from income from the investments of the  
7 trust and from the sale or appreciation in value of any investment of the trust, over  
8 the decrease within the period in the value of the assets resulting from the sale or  
9 the depreciation in value of any investments of the trust.

10           **SECTION 81.** 40.04 (3) (am) 3. (intro.) of the statutes is amended to read:

11           40.04 (3) (am) 3. (intro.) Annually, on December 31, the sum of all of the  
12 following shall be distributed from the market recognition account to each  
13 participating account in the core retirement investment trust in the same ratio as  
14 each account's average daily balance bears to the total average daily balance of all  
15 participating accounts in the trust:".

16           **122.** Page 374, line 11: after that line insert:

17           “**SECTION 82.** 40.02 (8) (b) 3. of the statutes is repealed.

18           **SECTION 83.** 40.02 (21d) (intro.) of the statutes is amended to read:

19           40.02 (21d) (intro.) “Domestic partnership” means a relationship between 2  
20 individuals, ~~who submitted an affidavit of domestic partnership to the department~~  
21 ~~before September 23, 2017,~~ that satisfies all of the following:

22           **SECTION 84.** 40.51 (2m) (a) of the statutes is repealed.

23           **SECTION 85.** 40.51 (2m) (b) of the statutes is renumbered 40.51 (2m) and  
24 amended to read:

1           40.51 **(2m)** If an eligible employee is divorced or was a domestic partner in a  
2 dissolved domestic partnership, the eligible employee may not enroll a new spouse  
3 or domestic partner in a group health insurance plan under this subchapter until 6  
4 months have elapsed since the date of the divorce or dissolved domestic partnership.

5           **SECTION 86.** 40.513 (3) (b) of the statutes is amended to read:

6           40.513 **(3)** (b) The employee's spouse or domestic partner is receiving health  
7 care coverage under s. 40.51 (6).

8           **SECTION 87.** 40.52 (2) of the statutes is amended to read:

9           40.52 **(2)** Health insurance benefits under this subchapter shall be integrated,  
10 with exceptions determined appropriate by the group insurance board, with benefits  
11 under federal plans for hospital and health care for the aged and disabled.  
12 Exclusions and limitations with respect to benefits and different rates may be  
13 established for persons eligible under federal plans for hospital and health care for  
14 the aged and disabled in recognition of the utilization by persons within the age  
15 limits eligible under the federal program. The plan may include special provisions  
16 for spouses, domestic partners, and other dependents covered under a plan  
17 established under this subchapter where one spouse or domestic partner is eligible  
18 under federal plans for hospital and health care for the aged but the others are not  
19 eligible because of age or other reasons. As part of the integration, the department  
20 may, out of premiums collected under s. 40.05 (4), pay premiums for the federal  
21 health insurance.

22           **SECTION 88.** 40.55 (1) of the statutes is amended to read:

23           40.55 **(1)** Except as provided in sub. (5), the state shall offer, through the group  
24 insurance board, to eligible employees under s. 40.02 (25) (bm) and to state  
25 annuitants long-term care insurance policies which have been filed with the office

1 of the commissioner of insurance and which have been approved for offering under  
2 contracts established by the group insurance board. The state shall also allow an  
3 eligible employee or a state annuitant to purchase those policies for his or her spouse,  
4 domestic partner, or parent.

5 **SECTION 89.** 40.65 (7) (am) 1. of the statutes is amended to read:

6 40.65 (7) (am) 1. To the surviving spouse or surviving domestic partner until  
7 the surviving spouse remarries, or the surviving domestic partner enters into a new  
8 domestic partnership or marries, if the surviving spouse was married to the  
9 participant on the date that the participant was disabled under sub. (4), or the  
10 surviving domestic partner was in a domestic partnership on the date that the  
11 participant was disabled under sub. (4), 50 percent of the participant's monthly  
12 salary at the time of death, but reduced by any amount payable under sub. (5) (b) 1.  
13 to 6.

14 **SECTION 90.** 40.65 (7) (am) 1g. of the statutes is repealed.

15 **SECTION 91.** 40.65 (7) (am) 1m. of the statutes is repealed.

16 **SECTION 92.** 40.65 (7) (am) 3. of the statutes is amended to read:

17 40.65 (7) (am) 3. The total monthly amount paid under subs. 1., ~~1g., 1m.,~~ and  
18 2. may not exceed 70 percent of the participant's monthly salary at the time of death  
19 reduced by any amounts under sub. (5) (b) 1. to 6. that relate to the participant's work  
20 record.

21 **SECTION 93.** 40.65 (7) (ar) 1. a. of the statutes is amended to read:

22 40.65 (7) (ar) 1. a. To the surviving spouse or the surviving domestic partner  
23 until the surviving spouse remarries, or the surviving domestic partner enters into  
24 a new domestic partnership or marries, if the surviving spouse was married to the  
25 participant on the date that the participant was disabled under sub. (4), or the



1 surviving domestic partner was in a domestic partnership with the participant on  
2 the date that the participant was disabled under sub. (4), 70 percent of the  
3 participant's monthly salary at the time of death, but reduced by any amount payable  
4 under sub. (5) (b) 1. to 6.

5 **SECTION 94.** 40.65 (7) (ar) 1. ag. of the statutes is repealed.

6 **SECTION 95.** 40.65 (7) (ar) 1. am. of the statutes is repealed.

7 **SECTION 96.** 40.80 (2r) (a) 1. of the statutes is amended to read:

8 40.80 (2r) (a) 1. Relates to a marriage or domestic partnership that terminated  
9 after December 1, 2001.

10 **SECTION 97.** 40.80 (2r) (a) 2. of the statutes is amended to read:

11 40.80 (2r) (a) 2. Assigns all or part of a participant's accumulated assets held  
12 in a deferred compensation plan under this subchapter to a spouse, former spouse,  
13 domestic partner, former domestic partner, child, or other dependent to satisfy a  
14 family support or marital property obligation.

15 **SECTION 9313. Initial applicability; Employee Trust Funds.**

16 (1) DEFERRED COMPENSATION; DOMESTIC PARTNERS. The treatment of s. 40.02 (8)  
17 (b) 3. first applies to benefits paid to a surviving domestic partner of a participant  
18 who dies on the effective date of this subsection.

19 (2) DUTY DISABILITY DEATH BENEFITS; DOMESTIC PARTNERS. The treatment of s.  
20 40.65 (7) (am) 1. and (ar) 1. a. first applies to a surviving domestic partner of a  
21 participant who dies on the effective date of this subsection.”.

22 **123.** Page 374, line 11: after that line insert:

23 “**SECTION 98.** 40.22 (1) of the statutes is amended to read:

1           40.22 (1) Except as otherwise provided in sub. (2) and s. 40.26 ~~(6)~~ (1), each  
2 employee currently in the service of, and receiving earnings from, a state agency or  
3 other participating employer shall be included within the provisions of the Wisconsin  
4 retirement system as a participating employee of that state agency or participating  
5 employer.

6           **SECTION 99.** 40.22 (2) (L) of the statutes is amended to read:

7           40.22 (2) (L) The employee is employed by a participating employer after the  
8 person becomes an annuitant, unless the service is after the annuity is suspended  
9 by the election of the employee under s. 40.26.

10          **SECTION 100.** 40.22 (2m) (intro.) of the statutes is amended to read:

11          40.22 (2m) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), an employee  
12 who was a participating employee before July 1, 2011, who is not expected to work  
13 at least one-third of what is considered full-time employment by the department,  
14 as determined by rule, and who is not otherwise excluded under sub. (2) from  
15 becoming a participating employee shall become a participating employee if he or she  
16 is subsequently employed by the state agency or other participating employer for  
17 either of the following periods:

18          **SECTION 101.** 40.22 (2r) (intro.) of the statutes is amended to read:

19          40.22 (2r) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), an employee  
20 who was not a participating employee before July 1, 2011, who is not expected to work  
21 at least two-thirds of what is considered full-time employment by the department,  
22 as determined by rule, and who is not otherwise excluded under sub. (2) from  
23 becoming a participating employee shall become a participating employee if he or she  
24 is subsequently employed by the state agency or other participating employer for  
25 either of the following periods:

1           **SECTION 102.** 40.22 (3) (intro.) of the statutes is amended to read:

2           40.22 (3) (intro.) Except as otherwise provided in s. 40.26 (6) (1), a person who  
3           qualifies as a participating employee shall be included within, and shall be subject  
4           to, the Wisconsin retirement system effective on one of the following dates:

5           **SECTION 103.** 40.26 (1) of the statutes is amended to read:

6           40.26 (1) Except as provided in ~~sub. (1m) and~~ ss. 40.05 (2) (g) 2. and 40.23 (1)  
7           (am), if a participant receiving a retirement annuity, or a disability annuitant who  
8           has attained his or her normal retirement date, receives earnings that are subject  
9           to s. 40.05 (1) or that would be subject to s. 40.05 (1) except for the exclusion specified  
10          in s. 40.22 (2) (L), the annuity shall be suspended, including any amount provided  
11          by additional contributions, and no annuity payment shall be payable after the  
12          month in which the participant files with the department a written election to be  
13          included within the provisions of the Wisconsin retirement system as a participating  
14          employee.

15          **SECTION 104.** 40.26 (1m) of the statutes is repealed.

16          **SECTION 105.** 40.26 (2) (intro.) of the statutes is amended to read:

17          40.26 (2) (intro.) Upon suspension of an annuity under sub. (1) ~~or (1m)~~, the  
18          retirement account of the participant whose annuity is so suspended shall be  
19          established on the following basis:

20          **SECTION 106.** 40.26 (5) (intro.) of the statutes is amended to read:

21          40.26 (5) (intro.) ~~Except as otherwise provided in sub. (5m), if~~ If a participant  
22          applies for an annuity or lump sum payment during the period in which less than 75  
23          30 days have elapsed between the termination of employment with a participating  
24          employer and becoming a participating employee with any participating employer,  
25          all of the following shall apply:

1           **SECTION 107.** 40.26 (5m) of the statutes is repealed.

2           **SECTION 108.** 40.26 (6) of the statutes is repealed.

3           **SECTION 109.** 323.19 (3) and (4) of the statutes are repealed.

4           **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

5           (1) **ELECTION TO CONTINUE ANNUITY SUSPENSION.** No later than 60 days after the  
6 effective date of this subsection, if an individual who is employed by a covered  
7 employer under the Wisconsin Retirement System has his or her annuity suspended  
8 under s. 40.26 (1m), 2021 stats., on the effective date of this subsection and wants  
9 to continue the suspension, the individual shall notify the department of employee  
10 trust funds on a form provided by the department. An election to continue the  
11 suspension is irrevocable.”

12           **124.** Page 374, line 11: after that line insert:

13           **“SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

14           (1) **2025-27 BIENNIAL BUDGET REQUEST.** In submitting information under s. 16.42  
15 for purposes of the 2025-27 biennial budget bill, the department of employee trust  
16 funds shall include a request for funding for the modernization of the department’s  
17 pension administration system.”

18           **125.** Page 374, line 11: after that line insert:

19           **“SECTION 110.** 230.12 (9m) of the statutes is created to read:

20           **230.12 (9m) PAID FAMILY AND MEDICAL LEAVE.** (a) *Definitions.* In this subsection:

21           1. “Family leave” means leave from employment for a reason specified in s.  
22 103.10 (3) (b) 1. to 3.

23           2. “Medical leave” means leave from employment when an employee has a  
24 serious health condition that makes the employee unable to perform his or her

1 employment duties, or makes the employee unable to perform the duties of any  
2 suitable employment.

3 3. "Serious health condition" has the meaning given in s. 103.10 (1) (g).

4 (b) *Program.* The administrator shall develop and recommend to the joint  
5 committee on employment relations a program, administered by the division, that  
6 provides paid family and medical leave for 12 weeks per year to employees whose  
7 compensation is established under this section or s. 20.923 (2) or (3) but does not  
8 include employees of the Board of Regents of the University of Wisconsin System.  
9 The approval process for the program is the same as that provided under sub. (3) (b),  
10 and, if approved, the program shall be incorporated into the compensation plan  
11 under sub. (1).

12 (c) *Rules.* The administrator may promulgate rules to implement the family  
13 and medical leave program under par. (b).

14 **SECTION 9101. Nonstatutory provisions; Administration.**

15 (1k) PAID FAMILY AND MEDICAL LEAVE. If the paid family and medical leave  
16 program under s. 230.12 (9m) is approved by the joint committee on employment  
17 relations, it shall go into effect immediately upon approval by the joint committee on  
18 employment relations.

19 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**  
20 **System.**

21 (1k) PAID FAMILY AND MEDICAL LEAVE.

22 (a) *Definitions.* In this subsection:

23 1. "Family leave" means leave from employment for a reason specified in s.  
24 103.10 (3) (b) 1. to 3.

1           2. “Medical leave” means leave from employment when an employee has a  
2 serious health condition that makes the employee unable to perform his or her  
3 employment duties, or makes the employee unable to perform the duties of any  
4 suitable employment.

5           3. “Serious health condition” has the meaning given in s. 103.10 (1) (g).

6           (b) *Program plan.* The Board of Regents of the University of Wisconsin System  
7 shall submit to the administrator of the division of personnel management in the  
8 department of administration, with its recommendations for adjustments to  
9 compensation and employee benefits for employees of the system under s. 230.12 (3)  
10 (e) 1. for 2023-25, a plan for a program to provide paid family and medical leave for  
11 12 weeks annually to employees of the system.”.

12           **126.** Page 374, line 11: after that line insert:

13           “**SECTION 111.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
14 insert the following amounts for the purposes indicated:

			<b>2023-24</b>	<b>2024-25</b>
<b>20.445 Workforce development, department of</b>				
(1) WORKFORCE DEVELOPMENT				
(bj) Local workforce development				
boards; grants for youth services				
and training	GPR	C	4,400,000	4,400,000
(bp) Wisconsin green jobs training				
program; grants	GPR	C	2,000,000	-0-

				<b>2023-24</b>	<b>2024-25</b>
1	(bq) Clean energy training and reem-				
2	ployment program	GPR	C	5,000,000	5,000,000
3	(bw) Workforce innovation grants	GPR	C	200,000,000	-0-
4	(cm) Worker advancement initiative	GPR	C	15,500,000	11,000,000
5	(fd) Enforcement of laws related to				
6	migrant workers	GPR	A	451,600	282,000
7	(rr) Worker’s compensation opera-				
8	tions fund; special assessment				
9	insurer reimbursements	SEG	A	5,000,000	5,000,000
10	(6) FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM				
11	(q) Payment of benefits; family and				
12	medical leave benefits insurance				
13	trust fund	SEG	S	-0-	158,866,600
14	(r) Administrative expenses; family				
15	and medical leave insurance				
16	trust fund	SEG	B	65,767,800	18,779,000

17       **SECTION 112.** 16.75 (1p) of the statutes is repealed.

18       **SECTION 113.** 16.765 (1) of the statutes is amended to read:

19           16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and  
20   Clinics Authority, the Fox River Navigational System Authority, the Wisconsin  
21   Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin  
22   Economic Development Corporation, and the Bradley Center Sports and  
23   Entertainment Corporation shall include in all contracts executed by them a

1 provision obligating the contractor not to discriminate against any employee or  
2 applicant for employment because of age, race, religion, color, handicap, sex, physical  
3 condition, developmental disability, as defined in s. 51.01 (5), sexual orientation, as  
4 defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender  
5 identity, as defined in s. 111.32 (7k), or national origin and, except with respect to  
6 sexual orientation, gender expression, and gender identity, obligating the contractor  
7 to take affirmative action to ensure equal employment opportunities.

8 **SECTION 114.** 16.765 (2) of the statutes is amended to read:

9 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and  
10 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin  
11 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin  
12 Economic Development Corporation, and the Bradley Center Sports and  
13 Entertainment Corporation shall include the following provision in every contract  
14 executed by them: "In connection with the performance of work under this contract,  
15 the contractor agrees not to discriminate against any employee or applicant for  
16 employment because of age, race, religion, color, handicap, sex, physical condition,  
17 developmental disability, as defined in s. 51.01 (5), sexual orientation, gender  
18 expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k),  
19 or national origin. This provision shall include, ~~but not be limited to,~~ the following:  
20 employment, upgrading, demotion, or transfer; recruitment or recruitment  
21 advertising; layoff or termination; rates of pay or other forms of compensation; and  
22 selection for training, including apprenticeship. Except with respect to sexual  
23 orientation, gender expression, and gender identity, the contractor further agrees to  
24 take affirmative action to ensure equal employment opportunities. The contractor  
25 agrees to post in conspicuous places, available for employees and applicants for



1 employment, notices to be provided by the contracting officer setting forth the  
2 provisions of the nondiscrimination-~~clause~~” clause.”

3 **SECTION 115.** 16.855 (1p) of the statutes is repealed.

4 **SECTION 116.** 19.36 (12) of the statutes is created to read:

5 19.36 (12) INFORMATION RELATING TO CERTAIN EMPLOYEES. Unless access is  
6 specifically authorized or required by statute, an authority may not provide access  
7 to a record prepared or provided by an employer performing work on a project to  
8 which s. 66.0903, 103.49, or 103.50 applies, or on which the employer is otherwise  
9 required to pay prevailing wages, if that record contains the name or other personally  
10 identifiable information relating to an employee of that employer, unless the  
11 employee authorizes the authority to provide access to that information. In this  
12 subsection, “personally identifiable information” does not include an employee’s  
13 work classification, hours of work, or wage or benefit payments received for work on  
14 such a project.

15 **SECTION 117.** 20.445 (1) (bj) of the statutes is created to read:

16 20.445 (1) (bj) *Local workforce development boards; grants for youth services*  
17 *and training.* As a continuing appropriation, the amounts in the schedule for grants  
18 to local workforce development boards under s. 106.112.

19 **SECTION 118.** 20.445 (1) (bm) of the statutes is amended to read:

20 20.445 (1) (bm) *Workforce training; administration.* Biennially, the amounts  
21 in the schedule for the administration of the local youth apprenticeship grant  
22 program under s. 106.13 (3m), the youth summer jobs program under s. 106.18, the  
23 employment transit assistance grant program under s. 106.26, the workforce  
24 training ~~program~~ programs under s. 106.27, the teacher development program  
25 grants under s. 106.272, the career and technical education incentive grant program

1 under s. 106.273, the technical education equipment grant program under s.  
2 106.275, and the apprentice programs under subch. I of ch. 106.

3 **SECTION 119.** 20.445 (1) (bp) of the statutes is created to read:

4 20.445 (1) (bp) *Wisconsin green jobs training program; grants.* As a continuing  
5 appropriation, the amounts in the schedule for green jobs training program grants  
6 under s. 106.27 (1p).

7 **SECTION 120.** 20.445 (1) (bq) of the statutes is created to read:

8 20.445 (1) (bq) *Clean energy training and reemployment program.* As a  
9 continuing appropriation, the amounts in the schedule for program administration  
10 and associated costs under s. 106.28.

11 **SECTION 121.** 20.445 (1) (bw) of the statutes is created to read:

12 20.445 (1) (bw) *Workforce innovation grants.* As a continuing appropriation,  
13 the amounts in the schedule for workforce innovation grants under s. 106.29.

14 **SECTION 122.** 20.445 (1) (cm) of the statutes is created to read:

15 20.445 (1) (cm) *Worker advancement initiative.* As a continuing appropriation,  
16 the amounts in the schedule for the worker advancement initiative under s. 106.145.

17 **SECTION 123.** 20.445 (1) (fd) of the statutes is created to read:

18 20.445 (1) (fd) *Enforcement of laws related to migrant workers.* The amounts  
19 in the schedule for enforcement activities related to wages, hours, and working  
20 conditions of migrant workers, the certification, maintenance, and inspection of  
21 migrant labor camps, and the recruitment and hiring of migrant workers under ss.  
22 103.905 to 103.97.

23 **SECTION 124.** 20.445 (1) (ga) of the statutes is amended to read:

24 20.445 (1) (ga) *Auxiliary services.* All moneys received from fees collected  
25 under ss. 102.16 (2m) (d), 103.005 (15), 103.91 (3), 103.92 (1) (a), and 106.09 (7) for

1 the delivery of services under ss. 102.16 (2m) (f), 103.005 (15), and 106.09 and ch. 108,  
2 and for administrative services under ss. 103.905 to 103.97.

3 **SECTION 125.** 20.445 (1) (ra) of the statutes is amended to read:

4 20.445 (1) (ra) *Worker's compensation operations fund; administration.* From  
5 the worker's compensation operations fund, the amounts in the schedule for the  
6 administration of the worker's compensation program by the department, for  
7 assistance to the department of justice in investigating and prosecuting fraudulent  
8 activity related to worker's compensation, for transfer to the uninsured employers  
9 fund under s. 102.81 (1) (c), and for transfer to the appropriation accounts under par.  
10 (rp) and s. 20.427 (1) (ra). All moneys received under ss. 102.28 (2) (b) and 102.75  
11 (1) shall be credited to this appropriation account. From this appropriation, an  
12 amount not to exceed \$5,000 may be expended each fiscal year for payment of  
13 expenses for travel and research by the council on worker's compensation, an amount  
14 not to exceed \$500,000 may be transferred in each fiscal year to the uninsured  
15 employers fund under s. 102.81 (1) (c), the amount in the schedule under par. (rp)  
16 shall be transferred to the appropriation account under par. (rp), and the amount in  
17 the schedule under s. 20.427 (1) (ra) shall be transferred to the appropriation account  
18 under s. 20.427 (1) (ra).

19 **SECTION 126.** 20.445 (1) (rr) of the statutes is created to read:

20 20.445 (1) (rr) *Worker's compensation operations fund; special assessment*  
21 *insurer reimbursements.* From the worker's compensation operations fund, the  
22 amounts in the schedule for providing reimbursement to insurance carriers paying  
23 supplemental benefits under s. 102.44 (1) (c). All moneys received under s. 102.75  
24 (1g) shall be credited to this appropriation account.

25 **SECTION 127.** 20.445 (1) (sm) of the statutes is amended to read:

1           20.445 (1) (sm) *Uninsured employers fund; payments.* From the uninsured  
2 employers fund, ~~a sum sufficient to make~~ all moneys received from sources identified  
3 under s. 102.80 (1m) for the purpose of making the payments under s. 102.81 (1) and  
4 to obtain reinsurance under s. 102.81 (2). No moneys may be expended or  
5 encumbered under this paragraph until the first day of the first July beginning after  
6 the day that the secretary of workforce development files the certificate under s.  
7 102.80 (3) (a).

8           **SECTION 128.** 20.445 (6) (q) of the statutes is created to read:

9           20.445 (6) (q) *Payment of benefits; family and medical leave benefits insurance*  
10 *trust fund.* From the family and medical leave benefits insurance trust fund, a sum  
11 sufficient to pay for the payment of benefits under s. 103.105 (3) and to refund  
12 moneys erroneously paid into the fund.

13           **SECTION 129.** 20.445 (6) (r) of the statutes is created to read:

14           20.445 (6) (r) *Administrative expenses; family and medical leave benefits*  
15 *insurance trust fund.* Biennially, from the family and medical leave benefits  
16 insurance trust fund, the amounts in the schedule for the administrative expenses  
17 of the family and medical leave benefits insurance program.

18           **SECTION 130.** 25.17 (1) (er) of the statutes is created to read:

19           25.17 (1) (er) Family and medical leave benefits insurance trust fund (s. 25.52);

20           **SECTION 131.** 25.52 of the statutes is created to read:

21           **25.52 Family and medical leave benefits insurance trust fund.** There  
22 is created a separate nonlapsible trust fund designated as the family and medical  
23 leave benefits insurance trust fund, to consist of all moneys deposited in that fund  
24 under s. 103.105 (8).

25           **SECTION 132.** 36.09 (1) (e) of the statutes is amended to read:

1           36.09 (1) (e) Subject to par. (em), the board shall appoint a president of the  
2 system; a chancellor for each institution; a dean for each college campus; the state  
3 geologist; the director of the laboratory of hygiene; the director of the psychiatric  
4 institute; the state cartographer; and the requisite number of officers, other than the  
5 vice presidents, associate vice presidents, and assistant vice presidents of the  
6 system; faculty; academic staff; and other employees and fix the salaries, subject to  
7 the limitations under par. (j) and s. 230.12 (3) (e), the duties and the term of office  
8 for each. The board shall fix the salaries, subject to the limitations under par. (j) and  
9 s. 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice  
10 president, and assistant vice president of the system. No sectarian or partisan tests  
11 or any tests based upon race, religion, national origin, ~~or sex, sexual orientation, as~~  
12 defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), or gender  
13 identity, as defined in s. 111.32 (7k), shall ever be allowed or exercised in the  
14 appointment of the employees of the system.

15           **SECTION 133.** 47.02 (3m) (f) of the statutes is amended to read:

16           47.02 (3m) (f) Assure that eligibility for vocational rehabilitation services  
17 under this chapter is determined without regard to the sex, race, age, creed, color,  
18 or national origin, sexual orientation, as defined in s. 111.32 (13m), gender  
19 expression, as defined in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k),  
20 of the individual applying for services, that no class of individuals is found ineligible  
21 solely on the basis of type of disability, and that no age limitations for eligibility exist  
22 ~~which that,~~ by themselves, would result in ineligibility for vocational rehabilitation  
23 services.

24           **SECTION 134.** 66.0129 (5) of the statutes is amended to read:

1           66.0129 (5) BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all  
2 contracts exceeding \$1,000 for the construction, maintenance or repair of hospital  
3 facilities to the lowest responsible bidder after advertising for bids by the publication  
4 of a class 2 notice under ch. 985. ~~Section~~ Sections 66.0901 applies and 66.0903 apply  
5 to bids and contracts under this subsection.

6           **SECTION 135.** 66.0134 of the statutes is repealed.

7           **SECTION 136.** 66.0408 (2) (d) of the statutes is repealed.

8           **SECTION 137.** 66.0901 (1) (ae) of the statutes is repealed.

9           **SECTION 138.** 66.0901 (1) (am) of the statutes is repealed.

10          **SECTION 139.** 66.0901 (6) of the statutes is amended to read:

11           66.0901 (6) SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS. In public  
12 contracts for the construction, repair, remodeling or improvement of a public  
13 building or structure, other than highway structures and facilities, a municipality  
14 may bid projects based on a single or multiple division of the work. Public contracts  
15 shall be awarded according to the division of work selected for bidding. ~~Except as~~  
16 ~~provided in sub. (6m), the~~ The municipality may set out in any public contract  
17 reasonable and lawful conditions as to the hours of labor, wages, residence, character  
18 and classification of workers to be employed by any contractor, classify contractors  
19 as to their financial responsibility, competency and ability to perform work and set  
20 up a classified list of contractors. The municipality may reject the bid of any person,  
21 if the person has not been classified for the kind or amount of work in the bid.

22          **SECTION 140.** 66.0901 (6m) of the statutes is repealed.

23          **SECTION 141.** 66.0901 (6s) of the statutes is repealed.

24          **SECTION 142.** 66.0903 (1) (a), (am), (b), (cm), (dr), (em), (hm) and (im) of the  
25 statutes are created to read:

1           66.0903 (1) (a) “Area” means the county in which a proposed project of public  
2 works that is subject to this section is located or, if the department determines that  
3 there is insufficient wage data in that county, “area” means those counties that are  
4 contiguous to that county or, if the department determines that there is insufficient  
5 wage data in those counties, “area” means those counties that are contiguous to those  
6 counties or, if the department determines that there is insufficient wage data in those  
7 counties, “area” means the entire state or, if the department is requested to review  
8 a determination under sub. (3) (br), “area” means the city, village, or town in which  
9 a proposed project of public works that is subject to this section is located.

10           (am) “Bona fide economic benefit” has the meaning given in s. 103.49 (1) (am).

11           (b) “Department” means the department of workforce development.

12           (cm) “Insufficient wage data” has the meaning given in s. 103.49 (1) (bg).

13           (dr) “Minor service or maintenance work” means a project of public works that  
14 is limited to minor crack filling, chip or slurry sealing, or other minor pavement  
15 patching, not including overlays, that has a projected life span of no longer than 5  
16 years or that is performed for a town and is not funded under s. 86.31, regardless of  
17 projected life span; the depositing of gravel on an existing gravel road applied solely  
18 to maintain the road; road shoulder maintenance; cleaning of drainage or sewer  
19 ditches or structures; or any other limited, minor work on public facilities or  
20 equipment that is routinely performed to prevent breakdown or deterioration.

21           (em) “Multiple-trade project of public works” has the meaning given in s.  
22 103.49 (1) (br).

23           (hm) “Single-trade project of public works” has the meaning given in s. 103.49  
24 (1) (em).

1 (im) "Supply and installation contract" has the meaning given in s. 103.49 (1)  
2 (fm).

3 **SECTION 143.** 66.0903 (1) (c) of the statutes is amended to read:

4 66.0903 (1) (c) "Hourly basic rate of pay" has the meaning given in s. ~~16.856~~  
5 103.49 (1) (b), ~~2015 stats.~~

6 **SECTION 144.** 66.0903 (1) (f) of the statutes is amended to read:

7 66.0903 (1) (f) "Prevailing hours of labor" has the meaning given in s. ~~16.856~~  
8 103.49 (1) (e), ~~2015 stats.~~ (c).

9 **SECTION 145.** 66.0903 (1) (g) of the statutes is repealed and recreated to read:

10 66.0903 (1) (g) "Prevailing wage rate" has the meaning given in s. 103.49 (1)  
11 (d).

12 **SECTION 146.** 66.0903 (1) (j) of the statutes is amended to read:

13 66.0903 (1) (j) "Truck driver" ~~includes an owner-operator of a truck~~ has the  
14 meaning given in s. 103.49 (1) (g).

15 **SECTION 147.** 66.0903 (1m) (b) of the statutes is amended to read:

16 66.0903 (1m) (b) The legislature finds that the enactment of ordinances or  
17 other enactments by local governmental units requiring laborers, workers,  
18 mechanics, and truck drivers employed on projects of public works or on publicly  
19 funded private construction projects to be paid the prevailing wage rate and to be  
20 paid at least 1.5 times their hourly basic rate of pay for hours worked in excess of the  
21 prevailing hours of labor would be logically inconsistent with, would defeat the  
22 purpose of, and would go against the ~~repeals~~ spirit of this section and the repeal of  
23 s. 66.0904, 2009 stats., ~~and s. 66.0903 (2) to (12), 2013 stats.~~ Therefore, this section  
24 shall be construed as an enactment of statewide concern for the ~~purposes~~ of  
25 ~~facilitating broader participation with respect to bidding on projects of public works,~~



1 ~~ensuring that wages accurately reflect market conditions, providing local~~  
2 ~~governments with the flexibility to reduce costs on capital projects, and reducing~~  
3 ~~spending at all levels of government in this state~~ purpose of providing uniform  
4 prevailing wage rate and prevailing hours of labor requirements throughout the  
5 state.

6 **SECTION 148.** 66.0903 (2) to (12) of the statutes are created to read:

7 66.0903 (2) APPLICABILITY. Subject to sub. (5), this section applies to any project  
8 of public works erected, constructed, repaired, remodeled, or demolished for a local  
9 governmental unit, including all of the following:

10 (a) A highway, street, bridge, building, or other infrastructure project.

11 (b) A project erected, constructed, repaired, remodeled, or demolished by one  
12 local governmental unit for another local governmental unit under a contract under  
13 s. 66.0301 (2), 83.03, 83.035, or 86.31 (2) (b) or under any other statute specifically  
14 authorizing cooperation between local governmental units.

15 (c) A project in which the completed facility is leased, purchased, lease  
16 purchased, or otherwise acquired by, or dedicated to, a local governmental unit in lieu  
17 of the local governmental unit contracting for the erection, construction, repair,  
18 remodeling, or demolition of the facility.

19 (d) A road, street, bridge, sanitary sewer, or water main project in which the  
20 completed road, street, bridge, sanitary sewer, or water main is acquired by, or  
21 dedicated to, a local governmental unit, including under s. 236.13 (2), for ownership  
22 or maintenance by the local governmental unit.

23 **(3) PREVAILING WAGE RATES AND HOURS OF LABOR.** (am) A local governmental unit,  
24 before making a contract by direct negotiation or soliciting bids on a contract for the  
25 erection, construction, remodeling, repairing, or demolition of any project of public

1 works, shall apply to the department to determine the prevailing wage rate for each  
2 trade or occupation required in the work contemplated. The department shall  
3 conduct investigations and hold public hearings as necessary to define the trades or  
4 occupations that are commonly employed on projects of public works that are subject  
5 to this section and to inform itself of the prevailing wage rates in all areas of the state  
6 for those trades or occupations, in order to determine the prevailing wage rate for  
7 each trade or occupation. The department shall issue its determination within 30  
8 days after receiving the request and shall file the determination with the requesting  
9 local governmental unit.

10 (ar) The department shall, by January 1 of each year, compile the prevailing  
11 wage rates for each trade or occupation in each area. The compilation shall, in  
12 addition to the current prevailing wage rates, include future prevailing wage rates  
13 when those prevailing wage rates can be determined for any trade or occupation in  
14 any area and shall specify the effective date of those future prevailing wage rates.  
15 If a project of public works extends into more than one area, the department shall  
16 determine only one standard of prevailing wage rates for the entire project.

17 (av) In determining prevailing wage rates under par. (am) or (ar), the  
18 department may not use data from projects that are subject to this section, s. 103.49  
19 or 103.50, or 40 USC 3142 unless the department determines that there is  
20 insufficient wage data in the area to determine those prevailing wage rates, in which  
21 case the department may use data from projects that are subject to this section, s.  
22 103.49 or 103.50, or 40 USC 3142. In determining prevailing wage rates under par.  
23 (am) or (ar), the department may not use data from any construction work that is  
24 performed by a local governmental unit or a state agency.

1 (bm) Any person may request a recalculation of any portion of an initial  
2 determination within 30 days after the initial determination date if the person  
3 submits evidence with the request showing that the prevailing wage rate for any  
4 given trade or occupation included in the initial determination does not represent the  
5 prevailing wage rate for that trade or occupation in the area. The evidence shall  
6 include wage rate information reflecting work performed by individuals working in  
7 the contested trade or occupation in the area during the current survey period. The  
8 department shall affirm or modify the initial determination within 15 days after the  
9 date on which the department receives the request for recalculation.

10 (br) In addition to the recalculation under par. (bm), the local governmental  
11 unit that requested the determination under this subsection may request a review  
12 of any portion of a determination within 30 days after the date of issuance of the  
13 determination if the local governmental unit submits evidence with the request  
14 showing that the prevailing wage rate for any given trade or occupation included in  
15 the determination does not represent the prevailing wage rate for that trade or  
16 occupation in the city, village, or town in which the proposed project of public works  
17 is located. That evidence shall include wage rate information for the contested trade  
18 or occupation on at least 3 similar projects located in the city, village, or town where  
19 the proposed project of public works is located and on which some work has been  
20 performed during the current survey period and which were considered by the  
21 department in issuing its most recent compilation under par. (ar). The department  
22 shall affirm or modify the determination within 15 days after the date on which the  
23 department receives the request for review.

24 (dm) A local governmental unit that is subject to this section shall include a  
25 reference to the prevailing wage rates determined by the department and to the

1 prevailing hours of labor in the notice published for the purpose of securing bids for  
2 the project of public works. Except as otherwise provided in this paragraph, if any  
3 contract or subcontract for a project of public works is entered into, the prevailing  
4 wage rates determined by the department and the prevailing hours of labor shall be  
5 physically incorporated into and made a part of the contract or subcontract. For a  
6 minor subcontract, as determined by the department, the department shall  
7 prescribe by rule the method of notifying the minor subcontractor of the prevailing  
8 wage rates and prevailing hours of labor applicable to the minor subcontract. The  
9 prevailing wage rates and prevailing hours of labor applicable to a contract or  
10 subcontract may not be changed during the time that the contract or subcontract is  
11 in force.

12 (e) No contractor, subcontractor, or contractor's or subcontractor's agent that  
13 is subject to this section may do any of the following:

14 1. Pay an individual performing the work described in sub. (4) less than the  
15 prevailing wage rate in the same or most similar trade or occupation determined  
16 under this subsection.

17 2. Allow an individual performing the work described in sub. (4) to work a  
18 greater number of hours per day or per week than the prevailing hours of labor,  
19 unless the contractor, subcontractor, or contractor's or subcontractor's agent pays  
20 the individual for all hours worked in excess of the prevailing hours of labor at a rate  
21 of at least 1.5 times the individual's hourly basic rate of pay.

22 (4) COVERED EMPLOYEES. (a) Subject to par. (b), any person subject to this  
23 section shall pay all of the following employees the prevailing wage rate determined  
24 under sub. (3) and may not allow such employees to work a greater number of hours  
25 per day or per week than the prevailing hours of labor, unless the person pays the

1 employee for all hours worked in excess of the prevailing hours of labor at a rate of  
2 at least 1.5 times the employee's hourly basic rate of pay:

3 1. All laborers, workers, mechanics, and truck drivers employed on the site of  
4 a project of public works that is subject to this section.

5 2. All laborers, workers, mechanics, and truck drivers employed in the  
6 manufacturing or furnishing of materials, articles, supplies, or equipment on the site  
7 of a project of public works that is subject to this section or from a facility dedicated  
8 exclusively, or nearly so, to a project of public works that is subject to this section by  
9 a contractor, subcontractor, agent, or other person performing any work on the site  
10 of the project.

11 (b) A laborer, worker, mechanic, or truck driver who is employed to process,  
12 manufacture, pick up, or deliver materials or products from a commercial  
13 establishment that has a fixed place of business from which the establishment  
14 supplies processed or manufactured materials or products or from a facility that is  
15 not dedicated exclusively, or nearly so, to a project of public works that is subject to  
16 this section is not entitled to receive the prevailing wage rate determined under sub.  
17 (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours  
18 worked in excess of the prevailing hours of labor unless any of the following applies:

19 1. The laborer, worker, mechanic, or truck driver is employed to go to the source  
20 of mineral aggregate such as sand, gravel, or stone and deliver that mineral  
21 aggregate to the site of a project of public works that is subject to this section by  
22 depositing the material directly in final place, from the transporting vehicle or  
23 through spreaders from the transporting vehicle.

24 2. The laborer, worker, mechanic, or truck driver is employed to go to the site  
25 of a project of public works that is subject to this section, pick up excavated material

1 or spoil from the site of the project, and transport that excavated material or spoil  
2 away from the site of the project.

3 (c) A person subject to this section shall pay a truck driver who is an  
4 owner-operator of a truck separately for his or her work and for the use of his or her  
5 truck.

6 **(5) NONAPPLICABILITY.** This section does not apply to any of the following:

7 (a) A single-trade project of public works for which the estimated project cost  
8 of completion is less than \$48,000, a multiple-trade project of public works for which  
9 the estimated project cost of completion is less than \$100,000, or, in the case of a  
10 multiple-trade project of public works erected, constructed, repaired, remodeled, or  
11 demolished by a private contractor for a city or village having a population of less  
12 than 2,500 or for a town, a multiple-trade project of public works for which the  
13 estimated project cost of completion is less than \$234,000.

14 (b) Work performed on a project of public works for which the local  
15 governmental unit contracting for the project is not required to compensate any  
16 contractor, subcontractor, contractor's or subcontractor's agent, or individual for  
17 performing the work.

18 (c) Minor service or maintenance work, warranty work, or work under a supply  
19 and installation contract.

20 (f) A project of public works involving the erection, construction, repair,  
21 remodeling, or demolition of a residential property containing 2 dwelling units or  
22 less.

23 (g) A road, street, bridge, sanitary sewer, or water main project that is a part  
24 of a development in which not less than 90 percent of the lots contain or will contain  
25 2 dwelling units or less, as determined by the local governmental unit at the time of

1 approval of the development, and that, on completion, is acquired by, or dedicated to,  
2 a local governmental unit, including under s. 236.13 (2), for ownership or  
3 maintenance by the local governmental unit.

4 (8) POSTING. A local governmental unit that has contracted for a project of  
5 public works shall post the prevailing wage rates determined by the department, the  
6 prevailing hours of labor, and the provisions of subs. (10) (a) and (11) (a) in at least  
7 one conspicuous place on the site of the project that is easily accessible by employees  
8 working on the project, or, if there is no common site on the project, at the place  
9 normally used by the local governmental unit to post public notices.

10 (9) COMPLIANCE. (a) When the department finds that a local governmental unit  
11 has not requested a determination under sub. (3) (am) or that a local governmental  
12 unit, contractor, or subcontractor has not physically incorporated a determination  
13 into a contract or subcontract as required under this section or has not notified a  
14 minor subcontractor of a determination in the manner prescribed by the department  
15 by rule promulgated under sub. (3) (dm), the department shall notify the local  
16 governmental unit, contractor, or subcontractor of the noncompliance and shall file  
17 the determination with the local governmental unit, contractor, or subcontractor  
18 within 30 days after the notice.

19 (b) Upon completion of a project of public works and before receiving final  
20 payment for his or her work on the project, each agent or subcontractor shall furnish  
21 the contractor with an affidavit stating that the agent or subcontractor has complied  
22 fully with the requirements of this section. A contractor may not authorize final  
23 payment until the affidavit is filed in proper form and order.

24 (c) Upon completion of a project of public works and before receiving final  
25 payment for his or her work on the project, each contractor shall file with the local

1 governmental unit authorizing the work an affidavit stating that the contractor has  
2 complied fully with the requirements of this section and that the contractor has  
3 received an affidavit under par. (b) from each of the contractor's agents and  
4 subcontractors. A local governmental unit may not authorize a final payment until  
5 the affidavit is filed in proper form and order. If a local governmental unit authorizes  
6 a final payment before an affidavit is filed in proper form and order or if the  
7 department determines, based on the greater weight of the credible evidence, that  
8 any person performing the work specified in sub. (4) has been or may have been paid  
9 less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay  
10 for all hours worked in excess of the prevailing hours of labor and requests that the  
11 local governmental unit withhold all or part of the final payment, but the local  
12 governmental unit fails to do so, the local governmental unit is liable for all back  
13 wages payable up to the amount of the final payment.

14 **(10) RECORDS; INSPECTION; ENFORCEMENT.** (a) Each contractor, subcontractor, or  
15 contractor's or subcontractor's agent that performs work on a project of public works  
16 that is subject to this section shall keep full and accurate records clearly indicating  
17 the name and trade or occupation of every individual performing the work described  
18 in sub. (4) and an accurate record of the number of hours worked by each of those  
19 individuals and the actual wages paid for the hours worked.

20 (b) The department or the contracting local governmental unit may demand  
21 and examine, and every contractor, subcontractor, and contractor's or  
22 subcontractor's agent shall keep, and furnish upon request by the department or  
23 local governmental unit, copies of payrolls and other records and information  
24 relating to the wages paid to individuals performing the work described in sub. (4)  
25 for work to which this section applies. The department may inspect records in the



1 manner provided in ch. 103. Every contractor, subcontractor, or agent performing  
2 work on a project of public works that is subject to this section is subject to the  
3 requirements of ch. 103 relating to the examination of records.

4 (c) If requested by any person, the department shall inspect the payroll records  
5 of any contractor, subcontractor, or agent performing work on a project of public  
6 works that is subject to this section as provided in this paragraph to ensure  
7 compliance with this section. On receipt of such a request, the department shall  
8 request that the contractor, subcontractor, or agent submit to the department a  
9 certified record of the information specified in par. (a), other than personally  
10 identifiable information relating to an employee of the contractor, subcontractor, or  
11 agent, for no longer than a 4-week period. The department may request that a  
12 contractor, subcontractor, or agent submit those records no more than once per  
13 calendar quarter for each project of public works on which the contractor,  
14 subcontractor, or agent is performing work. The department may not charge a  
15 requester a fee for obtaining that information. Certified records submitted to the  
16 department under this paragraph are open for public inspection and copying under  
17 s. 19.35 (1).

18 (d) Section 103.005 (5) (f), (11), (12), and (13) applies to this section, except that  
19 s. 103.005 (12) (a) does not apply to a person who fails to provide any information to  
20 the department to assist the department in determining prevailing wage rates under  
21 sub. (3) (am) or (ar). Section 111.322 (2m) applies to discharge and other  
22 discriminatory acts arising in connection with any proceeding under this section,  
23 including proceedings under sub. (11) (a).

24 **(11) LIABILITY AND PENALTIES.** (a) 1. A contractor, subcontractor, or contractor's  
25 or subcontractor's agent who fails to pay the prevailing wage rate determined by the

1 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of  
2 pay for all hours worked in excess of the prevailing hours of labor is liable to any  
3 affected employee in the amount of his or her unpaid wages or his or her unpaid  
4 overtime compensation and in an additional amount as liquidated damages as  
5 provided under subd. 2. or 3., whichever is applicable.

6 2. If the department determines upon inspection under sub. (10) (b) or (c) that  
7 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay  
8 the prevailing wage rate determined by the department under sub. (3) or has paid  
9 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the  
10 prevailing hours of labor, the department shall order the contractor to pay to any  
11 affected employee the amount of his or her unpaid wages or his or her unpaid  
12 overtime compensation and an additional amount equal to 100 percent of the amount  
13 of those unpaid wages or that unpaid overtime compensation as liquidated damages  
14 within a period specified by the department in the order.

15 3. In addition to or in lieu of recovering the liability specified in subd. 1. as  
16 provided in subd. 2., any employee for and on behalf of that employee and other  
17 employees similarly situated may commence an action to recover that liability in any  
18 court of competent jurisdiction. If the court finds that a contractor, subcontractor,  
19 or contractor's or subcontractor's agent has failed to pay the prevailing wage rate  
20 determined by the department under sub. (3) or has paid less than 1.5 times the  
21 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor,  
22 the court shall order the contractor, subcontractor, or agent to pay to any affected  
23 employee the amount of his or her unpaid wages or his or her unpaid overtime  
24 compensation and an additional amount equal to 100 percent of the amount of those  
25 unpaid wages or that unpaid overtime compensation as liquidated damages.

1           5. No employee may be a party plaintiff to an action under subd. 3. unless the  
2 employee consents in writing to become a party and the consent is filed in the court  
3 in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in  
4 addition to any judgment awarded to the plaintiff, allow reasonable attorney fees  
5 and costs to be paid by the defendant.

6           (b) 1. Except as provided in subds. 2., 4., and 6., any contractor, subcontractor,  
7 or contractor's or subcontractor's agent who violates this section may be fined not  
8 more than \$200 or imprisoned for not more than 6 months or both. Each day that  
9 any violation continues is a separate offense.

10           2. Whoever induces any individual who seeks to be or is employed on any  
11 project of public works that is subject to this section to give up, waive, or return any  
12 part of the wages to which the individual is entitled under the contract governing the  
13 project, or who reduces the hourly basic rate of pay normally paid to an individual  
14 for work on a project that is not subject to this section during a week in which the  
15 individual works both on a project of public works that is subject to this section and  
16 on a project that is not subject to this section, by threat not to employ, by threat of  
17 dismissal from employment, or by any other means is guilty of an offense under s.  
18 946.15 (1).

19           3. Any individual employed on a project of public works that is subject to this  
20 section who knowingly allows a contractor, subcontractor, or contractor's or  
21 subcontractor's agent to pay him or her less than the prevailing wage rate set forth  
22 in the contract governing the project, who gives up, waives, or returns any part of the  
23 compensation to which he or she is entitled under the contract, or who gives up,  
24 waives, or returns any part of the compensation to which he or she is normally  
25 entitled for work on a project that is not subject to this section during a week in which

1 the individual works both on a project of public works that is subject to this section  
2 and on a project that is not subject to this section, is guilty of an offense under s.  
3 946.15 (2).

4 4. Whoever induces any individual who seeks to be or is employed on any  
5 project of public works that is subject to this section to allow any part of the wages  
6 to which the individual is entitled under the contract governing the project to be  
7 deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless  
8 the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is  
9 working on a project that is subject to 40 USC 3142.

10 5. Any individual who is employed on a project of public works that is subject  
11 to this section who knowingly allows any part of the wages to which he or she is  
12 entitled under the contract governing the project to be deducted from his or her pay  
13 is guilty of an offense under s. 946.15 (4), unless the deduction would be allowed  
14 under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject  
15 to 40 USC 3142.

16 6. Subdivision 1. does not apply to any person who fails to provide any  
17 information to the department to assist the department in determining prevailing  
18 wage rates under sub. (3) (am) or (ar).

19 **(12) DEPARTMENT.** (a) Except as provided under pars. (b) and (c), the department  
20 shall notify any local governmental unit applying for a determination under sub. (3)  
21 of the names of all persons that the department has found to have failed to pay the  
22 prevailing wage rate determined under sub. (3) or has found to have paid less than  
23 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing  
24 hours of labor at any time in the preceding 3 years. The department shall include  
25 with each name the address of the person and shall specify when the person failed

1 to pay the prevailing wage rate and when the person paid less than 1.5 times the  
2 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.  
3 A local governmental unit may not award any contract to the person unless otherwise  
4 recommended by the department or unless 3 years have elapsed from the date the  
5 department issued its findings or the date of final determination by a court of  
6 competent jurisdiction, whichever is later.

7 (b) The department may not include in a notification under par. (a) the name  
8 of any person on the basis of having subcontracted a contract for a project of public  
9 works to a person that the department has found to have failed to pay the prevailing  
10 wage rate determined under sub. (3) or has found to have paid less than 1.5 times  
11 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of  
12 labor.

13 (c) This subsection does not apply to any contractor, subcontractor, or agent  
14 who in good faith commits a minor violation of this section, as determined on a  
15 case-by-case basis through administrative hearings with all rights to due process  
16 afforded to all parties or who has not exhausted or waived all appeals.

17 (d) Any person submitting a bid or negotiating a contract on a project of public  
18 works that is subject to this section shall, on the date the person submits the bid or  
19 negotiates the contract, identify any construction business in which the person, or  
20 a shareholder, officer, or partner of the person, if the person is a business, owns, or  
21 has owned at least a 25 percent interest on the date the person submits the bid or  
22 negotiates the contract or at any other time within 3 years preceding the date the  
23 person submits the bid or negotiates the contract, if the business has been found to  
24 have failed to pay the prevailing wage rate determined under sub. (3) or to have paid

1 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the  
2 prevailing hours of labor.

3 (e) The department shall promulgate rules to administer this subsection.

4 **SECTION 149.** 84.41 (3) of the statutes is created to read:

5 84.41 (3) EMPLOYMENT REGULATIONS. Employment regulations set forth in s.  
6 103.50 pertaining to wages and hours shall apply to all projects constructed under  
7 s. 84.40 in the same manner as such laws apply to projects on other state highways.  
8 Where applicable, the federal wages and hours law known as the Davis-Bacon act  
9 shall apply.

10 **SECTION 150.** 84.54 of the statutes is repealed.

11 **SECTION 151.** 86.51 of the statutes is repealed.

12 **SECTION 152.** 102.125 (1m) of the statutes is created to read:

13 102.125 (1m) APPLICATION AND PREMIUM FRAUD. If an insurer has evidence that  
14 an application for worker's compensation insurance coverage is fraudulent or that  
15 an employer has committed fraud by misclassifying employees to lower the  
16 employer's worker's compensation insurance premiums in violation of s. 943.395, the  
17 insurer shall report the claim to the department. The department may require an  
18 insurer to investigate an allegedly fraudulent application or alleged fraud by  
19 misclassification of employees and may provide the insurer with any records of the  
20 department relating to that alleged fraud. An insurer that investigates alleged fraud  
21 under this subsection shall report the results of that investigation to the department.

22 **SECTION 153.** 102.125 (2) of the statutes is amended to read:

23 102.125 (2) ASSISTANCE BY DEPARTMENT OF JUSTICE. The department of workforce  
24 development may request the department of justice to assist the department of  
25 workforce development in an investigation under sub. (1) or (1m) or in the

1 investigation of any other suspected fraudulent activity on the part of an employer,  
2 employee, insurer, health care provider, or other person related to worker's  
3 compensation.

4 **SECTION 154.** 102.125 (3) of the statutes is amended to read:

5 102.125 (3) PROSECUTION. If based on an investigation under sub. (1), (1m), or  
6 (2) the department has a reasonable basis to believe that a violation of s. 943.20,  
7 943.38, 943.39, 943.392, 943.395, 943.40, or any other criminal law has occurred, the  
8 department shall refer the results of the investigation to the department of justice  
9 or to the district attorney of the county in which the alleged violation occurred for  
10 prosecution.

11 **SECTION 155.** 102.16 (4) of the statutes is amended to read:

12 102.16 (4) The department and the division have jurisdiction to pass on any  
13 question arising out of sub. (3) and to order the employer to reimburse an employee  
14 or other person for any sum deducted from wages or paid by him or her in violation  
15 of that subsection. In addition to the any penalty provided in s. 102.85 (1), any  
16 employer violating sub. (3) shall be liable to an injured employee for the reasonable  
17 value of the necessary services rendered to that employee under any arrangement  
18 made in violation of sub. (3) without regard to that employee's actual disbursements  
19 for those services.

20 **SECTION 156.** 102.17 (9) (a) 1. of the statutes is renumbered 102.17 (9) (a) 1m.  
21 and amended to read:

22 102.17 (9) (a) 1m. "Fire fighter" means any person employed on a full-time  
23 basis by the state or any political subdivision as a member or officer of a fire  
24 department, including the 1st class cities and state fire marshal and deputies or an  
25 individual who volunteers as a member or officer of such a department.

1           **SECTION 157.** 102.17 (9) (a) 1c. of the statutes is created to read:

2           102.17 (9) (a) 1c. “Correctional officer” has the meaning given in s. 102.475 (8)  
3 (a).

4           **SECTION 158.** 102.17 (9) (a) 1e. of the statutes is created to read:

5           102.17 (9) (a) 1e. “Emergency medical responder” has the meaning given in s.  
6 256.01 (4p).

7           **SECTION 159.** 102.17 (9) (a) 1g. of the statutes is created to read:

8           102.17 (9) (a) 1g. “Emergency medical services practitioner” has the meaning  
9 given in s. 256.01 (5).

10          **SECTION 160.** 102.17 (9) (a) 1p. of the statutes is created to read:

11          102.17 (9) (a) 1p. “Medicolegal investigation staff member” includes a chief  
12 deputy coroner, a deputy coroner, a deputy medical examiner, and any individual  
13 who assists the office of a coroner or medical examiner with an investigation of a  
14 death. “Medicolegal investigation staff member” does not include an individual  
15 performing solely administrative functions in the office of a coroner or medical  
16 examiner.

17          **SECTION 161.** 102.17 (9) (b) (intro.) of the statutes is amended to read:

18          102.17 (9) (b) (intro.) Subject to par. (c), in the case of a mental injury that is  
19 not accompanied by a physical injury and that results in a diagnosis of  
20 post-traumatic stress disorder in a law enforcement officer, as defined in s. 23.33 (1)  
21 (ig), an emergency medical responder, an emergency services practitioner, a  
22 correctional officer, a public safety answering point dispatcher, a coroner, a medical  
23 examiner, a medicolegal investigation staff member, or a fire fighter, the claim for  
24 compensation for the mental injury, in order to be compensable under this chapter,  
25 is subject to all of the following:



1           **SECTION 162.** 102.75 (1m) of the statutes is amended to read:

2           102.75 **(1m)** The moneys collected under subs. (1) and (1g) and under ss. 102.28  
3 (2) and 102.31 (7), together with all accrued interest, shall constitute a separate  
4 nonlapsible fund designated as the worker's compensation operations fund. Moneys  
5 in the fund may be expended only as provided in ss. 20.427 (1) (ra) and 20.445 (1) (ra),  
6 (rb), ~~and (rp), and (rr)~~ and may not be used for any other purpose of the state.

7           **SECTION 163.** 102.82 (2) (a) (intro.) of the statutes is amended to read:

8           102.82 **(2)** (a) (intro.) Except as provided in pars. (ag), (am), and (ar), all for a  
9 1st or 2nd determination by the department that an employer was uninsured, an  
10 uninsured employers employer shall pay to the department the greater of the  
11 following:

12           **SECTION 164.** 102.82 (2) (ab) of the statutes is created to read:

13           102.82 **(2)** (ab) Except as provided in pars. (ag), (am), and (ar), for a 3rd  
14 determination by the department that an employer was uninsured, an uninsured  
15 employer shall pay to the department the greater of the following:

16           1. Three times the amount determined by the department to equal what the  
17 uninsured employer would have paid during periods of illegal nonpayment for  
18 worker's compensation in the preceding 3-year period, based on the employer's  
19 payroll in the preceding 3 years.

20           2. Three thousand dollars.

21           **SECTION 165.** 102.82 (2) (ad) of the statutes is created to read:

22           102.82 **(2)** (ad) Except as provided in pars. (ag), (am), and (ar), for a 4th or  
23 subsequent determination by the department that an employer was uninsured, an  
24 uninsured employer shall pay to the department the greater of the following:

1           1. Four times the amount determined by the department to equal what the  
2 uninsured employer would have paid during periods of illegal nonpayment for  
3 worker's compensation in the preceding 3-year period, based on the employer's  
4 payroll in the preceding 3 years.

5           2. Four thousand dollars.

6           **SECTION 166.** 102.82 (2) (am) of the statutes is amended to read:

7           102.82 (2) (am) The department may waive any payment owed under par. (a),  
8 (ab), or (ad) by an uninsured employer if the department determines that the  
9 uninsured employer is subject to this chapter only because the uninsured employer  
10 has elected to become subject to this chapter under s. 102.05 (2) or 102.28 (2).

11          **SECTION 167.** 102.82 (2) (ar) of the statutes is amended to read:

12          102.82 (2) (ar) The department may waive any payment owed under par. (a),  
13 (ab), (ad), or (ag) or sub. (1) if the department determines that the sole reason for the  
14 uninsured employer's failure to comply with s. 102.28 (2) is that the uninsured  
15 employer was a victim of fraud, misrepresentation or gross negligence by an  
16 insurance agent or insurance broker or by a person whom a reasonable person would  
17 believe is an insurance agent or insurance broker.

18          **SECTION 168.** 102.85 (1) of the statutes is repealed and recreated to read:

19          102.85 (1) (a) If an employer has failed to comply with s. 102.16 (3) or 102.28  
20 (2), the employer shall, for a first violation, forfeit the greater of \$1,000 or the amount  
21 of the premium that would have been payable for each time the employer failed to  
22 comply with s. 102.16 (3) or 102.28 (3).

23          (b) If an employer has failed to comply with s. 102.16 (3) or 102.28 (2), the  
24 employer shall, for a 2nd violation, forfeit the greater of \$2,000 or 2 times the amount

1 of the premium that would have been payable for each time the employer failed to  
2 comply with s. 102.16 (3) or 102.28 (3).

3 (c) If an employer has failed to comply with s. 102.16 (3) or 102.28 (2), the  
4 employer shall, for a 3rd violation, forfeit the greater of \$3,000 or 3 times the amount  
5 of the premium that would have been payable for each time the employer failed to  
6 comply with s. 102.16 (3) or 102.28 (3).

7 (d) If an employer has failed to comply with s. 102.16 (3) or 102.28 (2), the  
8 employer shall, for a 4th or subsequent violation, forfeit the greater of \$4,000 or 4  
9 times the amount of the premium that would have been payable for each time the  
10 employer failed to comply with s. 102.16 (3) or 102.28 (3).

11 **SECTION 169.** 102.85 (2) of the statutes is repealed and recreated to read:

12 102.85 (2) (a) No employer who is required to provide worker's compensation  
13 insurance coverage under this chapter may give false information about the coverage  
14 to his or her employees, the department, or any other person who contracts with the  
15 employer and who requests evidence of worker's compensation in relation to that  
16 contract.

17 (b) No employer who is required to provide worker's compensation insurance  
18 coverage under this chapter may fail to notify a person who contracts with the  
19 employer that the coverage has been canceled in relation to that contract.

20 (c) 1. An employer who violates par. (a) or (b) shall, except as provided in subds.  
21 2. and 3., forfeit not less than \$100 and not more than \$1,000.

22 2. An employer who violates par. (a) or (b) shall forfeit \$3,000 for a 3rd violation  
23 of par. (a) or (b).

24 3. An employer who violates par. (a) or (b) shall forfeit \$4,000 for a 4th violation  
25 of par. (a) or (b).

1           **SECTION 170.** 103.005 (12) (a) of the statutes is amended to read:

2           103.005 (12) (a) If any employer, employee, owner, or other person violates chs.  
3 103 to 106, or fails or refuses to perform any duty required under chs. 103 to 106,  
4 within the time prescribed by the department, for which no penalty has been  
5 specifically provided, or fails, neglects or refuses to obey any lawful order given or  
6 made by the department or any judgment or decree made by any court in connection  
7 with chs. 103 to 106, for each such violation, failure or refusal, the employer,  
8 employee, owner or other person shall forfeit not less than \$10 nor more than \$100  
9 for each offense. This paragraph does not apply to any person that fails to provide  
10 any information to the department to assist the department in determining  
11 prevailing wage rates or prevailing hours of labor under s. 103.49 (3) (a) or (am) or  
12 103.50 (3) or (4).

13           **SECTION 171.** 103.007 of the statutes is repealed.

14           **SECTION 172.** 103.06 (1) (b) (intro.) of the statutes is amended to read:

15           103.06 (1) (b) (intro.) “Employee” means, for purposes of compliance with the  
16 requirements specified in sub. (3) (a), any of the following who is employed by an  
17 employer:

18           **SECTION 173.** 103.06 (1) (c) (intro.) of the statutes is amended to read:

19           103.06 (1) (c) (intro.) “Employer” means, for purposes of compliance with the  
20 requirements specified in sub. (3) (a), any of the following that is engaged in the work  
21 described in s. 108.18 (2) (c):

22           **SECTION 174.** 103.06 (2) of the statutes is renumbered 103.06 (10), and 103.06  
23 (10) (intro.) and (a), as renumbered, are amended to read:

24           103.06 (10) **WORKER CLASSIFICATION COMPLIANCE; DUTIES OF DEPARTMENT.** (intro.)  
25 ~~For purposes of promoting and achieving compliance by employers with the laws~~

1 ~~specified in sub. (3) (a) through the proper classification of persons performing~~  
2 ~~services for an employer as employees and nonemployees, the~~ The department shall  
3 do all of the following:

4 (a) Educate employers, employees, nonemployees, and the public about the  
5 proper classification of persons performing services for an employer as employees  
6 and nonemployees. The department shall establish and maintain on the  
7 department's website information regarding worker classification laws,  
8 requirements for employers and employees, penalties for noncompliance, and  
9 contact information at each state agency that administers worker classification laws.

10 **SECTION 175.** 103.06 (10) (f) of the statutes is created to read:

11 103.06 (10) (f) Design and make available to employers a notice regarding  
12 worker classification laws, requirements for employers and employees, and  
13 penalties for noncompliance. The department shall promulgate rules to implement  
14 this paragraph.

15 **SECTION 176.** 103.06 (11) of the statutes is created to read:

16 103.06 (11) NOTICE. All employers shall post, in one or more conspicuous places  
17 where notices to employees are customarily posted, the notice designed by the  
18 department under sub. (10) (f). Any employer who violates this subsection shall  
19 forfeit not more than \$100 for each offense.

20 **SECTION 177.** 103.10 (1) (a) (intro.) of the statutes is renumbered 103.10 (1) (a)  
21 and amended to read:

22 103.10 (1) (a) "Child" means a natural, adopted, or foster child, a stepchild, or  
23 a legal ward ~~to whom any of the following applies:~~

24 **SECTION 178.** 103.10 (1) (a) 1. of the statutes is repealed.

25 **SECTION 179.** 103.10 (1) (a) 2. of the statutes is repealed.

1           **SECTION 180.** 103.10 (1) (ap) of the statutes is created to read:

2           103.10 (1) (ap) “Covered active duty” means any of the following:

3           1. For a member of a regular component of the U.S. armed forces, duty during  
4 the deployment of the member with the U.S. armed forces to a foreign country.

5           2. For a member of a reserve component of the U.S. armed forces, duty during  
6 the deployment of the member with the U.S. armed forces to a foreign country under  
7 a call or order to active duty under a provision of law specified in 10 USC 101 (a) (13)  
8 (B).

9           **SECTION 181.** 103.10 (1) (b) of the statutes is amended to read:

10           103.10 (1) (b) Except as provided in sub. (1m) (b) 2. and s. 452.38, “employee”  
11 means an individual employed in this state by an employer, except the employer’s  
12 ~~parent, child, spouse, domestic partner, or child parent, grandparent, grandchild, or~~  
13 sibling.

14           **SECTION 182.** 103.10 (1) (dm) of the statutes is created to read:

15           103.10 (1) (dm) “Grandchild” means the child of a child.

16           **SECTION 183.** 103.10 (1) (dp) of the statutes is created to read:

17           103.10 (1) (dp) “Grandparent” means the parent of a parent.

18           **SECTION 184.** 103.10 (1) (em) of the statutes is created to read:

19           103.10 (1) (em) “Medical isolation” means any of the following:

20           1. When a health care professional, a local health officer, or the department of  
21 health services advises that an individual seclude herself or himself from others  
22 when the individual is awaiting the result of a diagnostic test for a communicable  
23 disease or when the individual is infected with a communicable disease.

24           2. When a local health officer or the department of health services advises that  
25 an individual isolate or quarantine under s. 252.06.

1           3. When an individual's employer advises that the individual not come to the  
2 workplace due to a concern that the individual may have been exposed to or infected  
3 with a communicable disease.

4           **SECTION 185.** 103.10 (1) (gm) of the statutes is created to read:

5           103.10 (1) (gm) "Sibling" means a brother, sister, half brother, half sister,  
6 stepbrother, or stepsister, whether by blood, marriage, or adoption.

7           **SECTION 186.** 103.10 (1m) (b) 1. of the statutes is renumbered 103.10 (1) (an).

8           **SECTION 187.** 103.10 (1m) (b) 6. of the statutes is renumbered 103.10 (1) (gd).

9           **SECTION 188.** 103.10 (1m) (b) 7. of the statutes is renumbered 103.10 (1) (m).

10          **SECTION 189.** 103.10 (2) (c) of the statutes is amended to read:

11          103.10 (2) (c) This section only applies to an employee who has been employed  
12 by the same employer for more than 52 consecutive weeks and who worked for the  
13 employer for at least ~~1,000~~ 680 hours during the preceding 52-week period.

14          **SECTION 190.** 103.10 (3) (a) of the statutes is repealed.

15          **SECTION 191.** 103.10 (3) (b) 3. of the statutes is amended to read:

16          103.10 (3) (b) 3. To care for the employee's child, spouse, domestic partner, ~~or~~  
17 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, ~~or~~  
18 parent, grandparent, grandchild, or sibling has a serious health condition.

19          **SECTION 192.** 103.10 (3) (b) 4. of the statutes is created to read:

20          103.10 (3) (b) 4. Because of any qualifying exigency, as determined by the  
21 department by rule, arising out of the fact that the spouse, child, domestic partner,  
22 parent, grandparent, grandchild, or sibling of the employee is on covered active duty  
23 or has been notified of an impending call or order to covered active duty.

24          **SECTION 193.** 103.10 (3) (b) 5. of the statutes is created to read:

1           103.10 (3) (b) 5. Because there is an unforeseen or unexpected short-term gap  
2 in childcare for the employee's child, grandchild, or sibling that the employee must  
3 fill. The department may define by rule "unforeseen or unexpected short-term gap  
4 in childcare."

5           **SECTION 194.** 103.10 (3) (b) 6. of the statutes is created to read:

6           103.10 (3) (b) 6. To care for the employee's child, spouse, domestic partner,  
7 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner,  
8 parent, grandparent, grandchild, or sibling is in medical isolation.

9           **SECTION 195.** 103.10 (3) (b) 7. of the statutes is created to read:

10           103.10 (3) (b) 7. To address issues of the employee or the employee's child,  
11 spouse, domestic partner, parent, grandparent, grandchild, or sibling related to  
12 being the victim of domestic abuse, sexual abuse, or stalking.

13           **SECTION 196.** 103.10 (4) (a) of the statutes is amended to read:

14           103.10 (4) (a) Subject to ~~pars. (b) and par. (c) and sub. (4m)~~, an employee who  
15 is in medical isolation or has a serious health condition which makes the employee  
16 unable to perform his or her employment duties may take medical leave for the  
17 period during which he or she is unable to perform those duties.

18           **SECTION 197.** 103.10 (4) (b) of the statutes is repealed.

19           **SECTION 198.** 103.10 (4m) of the statutes is created to read:

20           103.10 (4m) DURATION OF LEAVE. In a 12-month period, no employee may take  
21 more than 12 weeks of family leave for any combination of reasons specified under  
22 sub. (3) or (4).

23           **SECTION 199.** 103.10 (6) (b) (intro.) of the statutes is amended to read:

24           103.10 (6) (b) (intro.) If an employee intends to take family leave because of the  
25 planned medical treatment or supervision of a child, spouse, domestic partner, or



1 parent, grandparent, grandchild, or sibling or intends to take medical leave because  
2 of the planned medical treatment or supervision of the employee, the employee shall  
3 do all of the following:

4 **SECTION 200.** 103.10 (6) (b) 1. of the statutes is amended to read:

5 103.10 (6) (b) 1. Make a reasonable effort to schedule the medical treatment  
6 or supervision so that it does not unduly disrupt the employer's operations, subject  
7 to the approval of the health care provider of the child, spouse, domestic partner,  
8 parent, grandparent, grandchild, sibling, or employee.

9 **SECTION 201.** 103.10 (6) (c) of the statutes is created to read:

10 103.10 (6) (c) If the employee intends to take family leave under sub. (3) (b) 4.  
11 that is foreseeable because the spouse, child, domestic partner, parent, grandparent,  
12 grandchild, or sibling of the employee is on covered active duty or has been notified  
13 of an impending call or order to covered active duty, the employee shall provide notice  
14 of that intention to the employer in a reasonable and practicable manner.

15 **SECTION 202.** 103.10 (7) (a) of the statutes is amended to read:

16 103.10 (7) (a) If an employee requests family leave for a reason described in sub.  
17 (3) (b) 3. or requests medical leave due to a serious health condition, the employer  
18 may require the employee to provide certification, as described in par. (b), issued by  
19 the health care provider or Christian Science practitioner of the child, spouse,  
20 domestic partner, parent, grandparent, grandchild, sibling, or employee, whichever  
21 is appropriate.

22 **SECTION 203.** 103.10 (7) (b) (intro.) of the statutes is amended to read:

23 103.10 (7) (b) (intro.) No employer may require certification under par. (a)  
24 stating more than the following:

25 **SECTION 204.** 103.10 (7) (b) 1. of the statutes is amended to read:

1           103.10 (7) (b) 1. That the child, spouse, domestic partner, parent, grandparent,  
2 grandchild, sibling, or employee has a serious health condition.

3           **SECTION 205.** 103.10 (7) (cm) of the statutes is created to read:

4           103.10 (7) (cm) If an employee requests family leave for a reason described in  
5 sub. (3) (b) 3., the employer may require the employee to provide certification that  
6 the employee is responsible for the care of a child, spouse, domestic partner, parent,  
7 grandparent, grandchild, or sibling with a serious health condition.

8           **SECTION 206.** 103.10 (7) (d) of the statutes is created to read:

9           103.10 (7) (d) If an employee requests family leave under sub. (3) (b) 4., the  
10 employer may require the employee to provide certification that the spouse, child,  
11 domestic partner, parent, grandparent, grandchild, or sibling of the employee is on  
12 covered active duty or has been notified of an impending call or order to covered  
13 active duty. The certification under this paragraph shall be issued at such time and  
14 in such manner as the department may prescribe by rule, and the employee shall  
15 provide a copy of that certification to the employer in a timely manner.

16           **SECTION 207.** 103.10 (7) (e) of the statutes is created to read:

17           103.10 (7) (e) If an employee requests family leave under sub. (3) (b) 5., the  
18 employer may require the employee to provide certification that there is an  
19 unforeseen or unexpected short-term gap in childcare, as defined in rule by the  
20 department, for the employee's child, grandchild, or sibling that the employee must  
21 fill. The department may prescribe by rule the form and content of the certification.

22           **SECTION 208.** 103.10 (7) (f) of the statutes is created to read:

23           103.10 (7) (f) 1. If an employee requests family leave under sub. (3) (b) 6., or  
24 medical leave due to medical isolation, the employer may require the employee to  
25 provide certification issued by a local public health official, the department of health

1 services, or a health care provider or Christian Science practitioner of the child,  
2 spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee,  
3 whichever is appropriate, except that no employer may require certification under  
4 this paragraph if the sole reason for the medical isolation is due to the employer's  
5 request under sub. (1) (em) 3. No employer may require certification under this  
6 subdivision stating more than that the child, spouse, domestic partner, parent,  
7 grandparent, grandchild, sibling, or employee is in medical isolation.

8 2. If an employee requests family leave under sub. (3) (b) 6., the employer may  
9 require the employee to provide certification that the employee is responsible for the  
10 care of a child, spouse, domestic partner, parent, grandparent, grandchild, sibling,  
11 or employee who is in medical isolation.

12 **SECTION 209.** 103.10 (7) (g) of the statutes is created to read:

13 103.10 (7) (g) If an employee requests family leave under sub. (3) (b) 7., the  
14 employer may require the employee to provide certification that the employee is  
15 addressing issues of the employee or the employee's child, spouse, domestic partner,  
16 parent, grandparent, grandchild, or sibling related to being the victim of domestic  
17 abuse, sexual abuse, or stalking.

18 **SECTION 210.** 103.10 (10) of the statutes is amended to read:

19 103.10 (10) ALTERNATIVE EMPLOYMENT. Nothing in this section prohibits an  
20 employer and an employee with a serious health condition or in medical isolation  
21 from mutually agreeing to alternative employment for the employee while the  
22 serious health condition or medical isolation lasts. No period of alternative  
23 employment, with the same employer, reduces the employee's right to family leave  
24 or medical leave.

25 **SECTION 211.** 103.10 (12) (b) of the statutes is amended to read:

1           103.10 (12) (b) An employee who believes his or her employer has violated sub.  
2 (11) (a) or (b) may, within ~~30~~ 300 days after the violation occurs or the employee  
3 should reasonably have known that the violation occurred, whichever is later, file a  
4 complaint with the department alleging the violation. Except as provided in s.  
5 230.45 (1m), the department shall investigate the complaint and shall attempt to  
6 resolve the complaint by conference, conciliation or persuasion. If the complaint is  
7 not resolved and the department finds probable cause to believe a violation has  
8 occurred, the department shall proceed with notice and a hearing on the complaint  
9 as provided in ch. 227. The hearing shall be held within 60 days after the department  
10 receives the complaint.

11           **SECTION 212.** 103.10 (12) (c) of the statutes is amended to read:

12           103.10 (12) (c) If 2 or more health care providers disagree about any of the  
13 information required to be certified under sub. (7) (b), the department may appoint  
14 another health care provider to examine the child, spouse, domestic partner, parent,  
15 grandparent, grandchild, sibling, or employee and render an opinion as soon as  
16 possible. The department shall promptly notify the employee and the employer of  
17 the appointment. The employer and the employee shall each pay 50 percent of the  
18 cost of the examination and opinion.

19           **SECTION 213.** 103.10 (14) (a) of the statutes is renumbered 103.10 (14).

20           **SECTION 214.** 103.10 (14) (b) of the statutes is repealed.

21           **SECTION 215.** 103.105 of the statutes is created to read:

22           **103.105 Family and medical leave benefits insurance program. (1)**

23           DEFINITIONS. In this section:

1 (a) “Application year” means the 12-month period beginning on the first day  
2 of the first calendar week for which family or medical leave insurance benefits are  
3 claimed by a covered individual.

4 (b) “Average weekly earnings” means one-thirteenth of the wages paid to an  
5 employee during the last completed calendar quarter prior to the covered  
6 individual’s date of eligibility for benefits under this section and includes all sick,  
7 holiday, vacation, and termination pay that is paid directly by an employer to an  
8 employee at the employee’s usual rate of pay during his or her last completed  
9 calendar quarter as a result of employment for an employer and any total or partial  
10 disability payments under ch. 102 or a federal law that provides for payments on  
11 account of a work-related injury or illness. For self-employed individuals, “average  
12 weekly earnings” means one fifty-second of the gross income reported as income to  
13 the federal internal revenue service in the most recent tax year in which the  
14 individual filed taxes prior to the individual’s date of eligibility for benefits under this  
15 section.

16 (c) “Covered individual” means an employee who satisfies s. 103.10 (2) (c), or  
17 a self-employed individual who elects coverage under sub. (2), regardless of whether  
18 the individual is employed or unemployed at the time the individual files an  
19 application for family or medical leave insurance benefits.

20 (d) “Employee” has the meaning given in s. 103.10 (1) (b).

21 (e) “Employer” has the meaning given in s. 103.10 (1) (c).

22 (f) “Family leave” means an individual’s leave from employment,  
23 self-employment, or availability for employment for a reason specified in s. 103.10  
24 (3) (b) 1. to 7. or 103.11 (4).

1 (g) “Family or medical leave insurance benefits” means benefits payable under  
2 this section from the family and medical leave benefits insurance trust fund.

3 (h) “Medical leave” means leave from employment, self-employment, or  
4 availability for employment for any of the reasons in s. 103.10 (4).

5 (i) “Self-employed individual” means a sole proprietor, partner of a  
6 partnership, member of a limited liability company, or other individual engaged in  
7 a vocation, profession, or business for himself or herself and not for an employer.

8 (j) “State annual median wage” means the median hourly wage for all  
9 occupations in this state in a calendar year, as determined by the bureau of labor  
10 statistics of the U.S. department of labor, multiplied by 2,080.

11 **(2) ELECTION BY SELF-EMPLOYED INDIVIDUAL.** A self-employed individual may  
12 elect to be covered under this section by filing a written notice of election with the  
13 department in a form and manner prescribed by the department by rule. An initial  
14 election under this subsection becomes effective on the date on which the notice of  
15 election is filed, shall be for a period of not less than 3 years, and may be renewed for  
16 subsequent one-year periods by the filing of a written notice with the department  
17 that the self-employed individual intends to continue his or her coverage under this  
18 section. A self-employed individual who elects coverage under this section may  
19 withdraw that election no earlier than 3 years after the date of the initial election or  
20 at such other times as the department may prescribe by rule by providing notice of  
21 that withdrawal to the department not less than 30 days before the expiration date  
22 of the election.

23 **(3) ELIGIBILITY FOR BENEFITS.** (a) Except as otherwise provided in sub. (6), a  
24 covered individual who is on family leave or medical leave is eligible to receive family

1 or medical leave insurance benefits in the amount specified in sub. (4) and for the  
2 duration specified in sub. (5).

3 (b) To receive family or medical leave insurance benefits, a covered individual  
4 shall file a claim for those benefits within the time and in the manner that the  
5 department prescribes by rule. On receipt of a claim for family or medical leave  
6 insurance benefits, the department may request from the individual's employer or  
7 from the self-employed individual any information necessary for the department to  
8 determine the individual's eligibility for those benefits and the amount and duration  
9 of those benefits. The employer or self-employed individual shall provide that  
10 information to the department within the time and in the manner that the  
11 department prescribes by rule. If the department determines that a covered  
12 individual is eligible to receive family or medical leave insurance benefits, the  
13 department shall provide those benefits to the individual as provided in subs. (4) and  
14 (5).

15 (4) AMOUNT OF BENEFITS. Except as provided in sub. (6), the amount of family  
16 or medical leave insurance benefits payable for a week shall be based upon the  
17 covered individual's average weekly earnings, as follows:

18 (a) For the amount of the covered individual's average weekly earnings that are  
19 less than 50 percent of the state annual median wage in the calendar year before the  
20 covered individual's application year, 90 percent of the covered individual's average  
21 weekly earnings.

22 (b) For the amount of the covered individual's average weekly earnings that are  
23 more than or equal to 50 percent of the state annual median wage in the calendar  
24 year before the covered individual's application year, 50 percent of the covered  
25 individual's average weekly earnings.

1           **(5) DURATION OF BENEFITS.** The maximum number of weeks for which family or  
2 medical leave insurance benefits are payable in an application year is 12 weeks. A  
3 covered individual may be paid family or medical leave insurance benefits  
4 continuously, or at the option of the covered individual, intermittently.

5           **(6) EMPLOYER EXEMPTION FROM PARTICIPATION IN PAID FAMILY AND MEDICAL LEAVE**  
6 **BENEFITS INSURANCE PROGRAM.** (a) If an employer provides family and medical leave  
7 benefits that are identical to or more generous than benefits provided under this  
8 section, the employer may elect to not participate in the paid family and medical  
9 leave benefits insurance program under this section. If the department grants an  
10 exemption under this subsection, the employer shall pay benefits that are at least  
11 identical to benefits under this section, and an employee is entitled to be paid those  
12 benefits.

13           (b) An employer that elects to not participate in the paid family and medical  
14 leave benefits insurance program under this section shall request an exemption from  
15 the department in writing, in the manner prescribed by the department. An  
16 exemption from participation is not effective until approved by the department in  
17 writing.

18           (c) The department may grant a written exemption from participation to an  
19 employer who complies with this subsection and all rules promulgated by the  
20 department under par. (g).

21           (d) The department may withdraw its written exemption order granted under  
22 par. (c) if the department determines that an employer is not providing paid family  
23 and medical leave benefits to employees that are at least identical to those provided  
24 under this section.



1           (e) If an employee believes that his or her employer that has an exemption  
2 under this subsection has violated the employee's right to paid family and medical  
3 leave benefits identical to those provided under this section, the employee may file  
4 a complaint with the department alleging the violation, and the department shall  
5 process the complaint in the same manner as complaints filed under s. 103.10 (12)  
6 (b) are processed. If the department finds that an employer has violated this  
7 subsection, the department may order the employer to take action to remedy the  
8 violation, including providing the paid family and medical leave benefits, and,  
9 notwithstanding s. 814.04 (1), paying reasonable actual attorney fees to the  
10 employee.

11           (f) After the completion of an administrative proceeding under par. (e),  
12 including judicial review, an employee or the department may bring an action in  
13 circuit court against an employer to recover damages caused by a violation of this  
14 subsection. Section 103.10 (13) (b) applies to the commencement of an action under  
15 this paragraph.

16           (g) The department shall promulgate rules to implement this subsection.

17           **(7) FEDERAL TAX TREATMENT OF BENEFITS.** With respect to the federal income  
18 taxation of family or medical leave insurance benefits, the department shall do all  
19 of the following:

20           (a) At the time an individual files a claim for those benefits, advise the  
21 individual that those benefits may be subject to federal income taxation, that  
22 requirements exist under federal law pertaining to estimated tax payments, and  
23 that the individual may elect to have federal income taxes withheld from the  
24 individual's benefit payments and may change that election not more than one time  
25 in an application year.

1           (b) Allow the individual to elect to have federal income tax deducted and  
2 withheld from the individual's benefit payments, allow the individual to change that  
3 election not more than one time in an application year, and deduct and withhold that  
4 tax in accordance with the individual's election as provided under 26 USC 3402.

5           (c) Upon making a deduction under par. (b), transfer the amount deducted from  
6 the family and medical leave insurance trust fund to the federal internal revenue  
7 service.

8           (d) In deducting and withholding federal income taxes from an individual's  
9 benefit payments, follow all procedures specified by the federal internal revenue  
10 service pertaining to the deducting and withholding of federal income tax.

11           **(8) FAMILY AND MEDICAL LEAVE INSURANCE TRUST FUND.** (a) The department shall  
12 determine the amount of the required contribution by each employee, self-employed  
13 individual who elects coverage under sub. (2), and each employer. The required  
14 contribution shall be based on the employee's wages or the self-employed  
15 individual's earnings. The required contribution for an employee shall be equally  
16 shared between each employee and the employee's employer.

17           (b) Each employer shall withhold from the wages of its employees the amount  
18 determined by the department under this subsection.

19           (c) The department shall promulgate rules to establish procedures for filing  
20 wage reports and collecting the contributions withheld by employers and  
21 employer-required contributions under par. (a). The department may utilize the  
22 quarterly wage reports submitted under s. 108.205 in lieu of separate contribution  
23 reports and may utilize the procedures for collecting contributions that apply to the  
24 collection of contributions to the unemployment reserve fund under s. 108.17.

1 (cm) The department shall promulgate rules providing for a right to a hearing  
2 in cases involving the liability of employers for contributions under this subsection.  
3 The department's decisions shall be subject to the rights and procedures for  
4 contested cases under ch. 227.

5 (d) The department shall collect contributions from self-employed individuals  
6 pursuant to procedures established by the department under sub. (12) (b).

7 (e) The department shall deposit contributions received under this subsection  
8 in the family and medical leave benefits insurance trust fund.

9 (f) The department shall use moneys deposited in the family and medical leave  
10 benefits insurance trust fund to pay benefits under sub. (3), to refund amounts  
11 erroneously paid by employers, and to pay for the administration of the family and  
12 medical leave benefits insurance program under this section and for no other  
13 purpose.

14 **(9) DENIAL OF CLAIMS; OVERPAYMENTS.** (a) The department shall promulgate  
15 rules providing for a right to a hearing in cases of disputes involving an individual's  
16 eligibility for benefits or status as a covered individual under this section. The  
17 department's decisions shall be subject to the rights and procedures for contested  
18 cases under ch. 227. To the extent necessary and practical, the department may  
19 prescribe procedures in conjunction with any rules promulgated for administrative  
20 proceedings under ss. 103.10 (12) and 103.11 (12).

21 (b) 1. If the department pays family or medical leave insurance benefits to an  
22 individual erroneously or as a result of willful misrepresentation, the individual's  
23 liability to reimburse the fund for the overpayment may be set forth in a  
24 determination that is subject to review under par. (a). The department may prescribe  
25 procedures for waiver of overpayments.

1           2. To recover any overpayment to a covered individual that is not otherwise  
2 repaid or the recovery of which has not been waived, the department may recoup the  
3 amount of the overpayment by, in addition to its other remedies, deducting the  
4 amount of the overpayment from benefits the individual would otherwise be eligible  
5 to receive.

6           3. The department may establish other procedures for recovering  
7 overpayments and may utilize procedures under ch. 108, including the department's  
8 remedies for collecting overpayments under ss. 108.22 and 108.225, subject to rules  
9 promulgated by the department.

10          4. The department may not collect any interest on any benefit overpayment.

11          **(10) PROHIBITED ACTS.** (a) No person may interfere with, restrain, or deny the  
12 exercise of any right provided under this section.

13          (b) No person may discharge or otherwise discriminate against any person for  
14 exercising any right provided under this section, opposing a practice prohibited  
15 under this section, filing a complaint or attempting to enforce any right provided  
16 under this section, or testifying or assisting in any action or proceeding to enforce any  
17 right provided under this section.

18          (c) No collective bargaining agreement or employer policy may diminish or  
19 abridge an employee's rights under this section. Any agreement purporting to waive  
20 or modify an employee's rights under this section is void as against public policy and  
21 unenforceable.

22          **(11) ENFORCEMENT.** (a) Any person who believes that his or her rights under  
23 this section have been interfered with, restrained, or denied in violation of sub. (10)  
24 (a) or that he or she has been discharged or otherwise discriminated against in  
25 violation of sub. (10) (b) may, within 30 days after the violation occurs or the person

1 should reasonably have known that the violation occurred, whichever is later, file a  
2 complaint with the department alleging the violation, and the department shall  
3 process the complaint in the same manner as complaints filed under s. 103.10 (12)  
4 (b) are processed. If the department finds that an employer has violated sub. (10) (a)  
5 to (c), the department may order the employer to take action to remedy the violation,  
6 including providing the requested family leave or medical leave, reinstating an  
7 employee, providing back pay accrued not more than 2 years before the complaint  
8 was filed, and, notwithstanding s. 814.04 (1), paying reasonable actual attorney fees  
9 to the complainant.

10 (b) After the completion of an administrative proceeding under par. (a),  
11 including judicial review, an employee or the department may bring an action in  
12 circuit court against an employer to recover damages caused by a violation of sub.  
13 (10) (a) to (c). Section 103.10 (13) (b) applies to the commencement of an action under  
14 this paragraph.

15 **(12) ADMINISTRATION.** The department shall administer the family and medical  
16 leave benefits insurance program under this section. In administering the program,  
17 the department shall do all of the following:

18 (a) Establish procedures and forms for the filing of claims for benefits under  
19 this section.

20 (b) Establish procedures and forms for collecting contributions from  
21 self-employed individuals.

22 (c) Promulgate rules to implement this section.

23 (d) Use information sharing and integration technology to facilitate the  
24 exchange of information as necessary for the department to perform its duties under  
25 this section.

1           (e) By September 1 of each year, submit a report to the governor, the joint  
2 committee on finance, and the appropriate standing committees of the legislature  
3 under s. 13.172 (3) on the family and medical leave benefits insurance program under  
4 this section. The report shall include the projected and actual rates of participation  
5 in the program, the premium rates for coverage under the program, and the balance  
6 in the family and medical leave benefits insurance trust fund under s. 25.52.

7           **(13) RECORDS.** (a) The records made or maintained by the department in  
8 connection with the administration of this section are confidential and shall be open  
9 to public inspection or disclosure only to the extent that the department allows in the  
10 interest of the family and medical leave benefits insurance program. No person may  
11 allow inspection or disclosure of any record provided by the department unless the  
12 department authorizes the inspection or disclosure.

13           (b) The department may provide records made or maintained by the  
14 department in connection with the administration of this section to any  
15 governmental unit, corresponding unit in the government of another state, or any  
16 unit of the federal government. No such unit may allow inspection or disclosure of  
17 any record provided by the department unless the department authorizes the  
18 inspection or disclosure.

19           (c) Upon request of the department of revenue, the department may provide  
20 information, including social security numbers, concerning covered individuals to  
21 the department of revenue for the purpose of administering state taxes, identifying  
22 fraudulent tax returns, providing information for tax-related prosecutions, or  
23 locating persons or the assets of persons who have failed to file tax returns, who have  
24 underreported their taxable income, or who are delinquent debtors. The department

1 of revenue shall adhere to the limitation on inspection and disclosure of the  
2 information under par. (b).

3 (14) BENEFIT AMOUNT ADJUSTMENT. On April 1 of each year, the department may  
4 adjust the maximum weekly benefit payment to 90 percent of the state average  
5 weekly earnings, which becomes effective on October 1 of that year. The department  
6 shall annually have the adjusted amount of the maximum weekly benefit payment  
7 published in the Wisconsin Administrative Register.

8 (15) NOTICE POSTED. Each employer shall post, on its website and in one or more  
9 conspicuous places where notices to employees are customarily posted, a notice in a  
10 form approved by the department setting forth employees' rights under this section  
11 and any adjustment to benefits as provided in sub. (14). Any employer that violates  
12 this subsection shall forfeit not more than \$100 for each violation.

13 **SECTION 216.** 103.12 of the statutes is repealed.

14 **SECTION 217.** 103.135 of the statutes is created to read:

15 **103.135 Compensation information of employees and prospective**  
16 **employees. (1) UNLAWFUL EMPLOYER CONDUCT RELATED TO PROSPECTIVE EMPLOYEE**  
17 **COMPENSATION INFORMATION.** (a) No employer may directly or indirectly do any of the  
18 following:

19 1. Rely on or, subject to par. (b), solicit from a prospective employee or a  
20 prospective employee's current or former employer information about the  
21 prospective employee's current or prior compensation.

22 2. Require that a prospective employee's current or prior compensation meet  
23 certain criteria in order for the prospective employee to be considered for  
24 employment.

1           3. Refuse to hire or employ or otherwise discriminate against a prospective  
2 employee in compensation or in the terms, conditions, or privileges of employment  
3 for opposing a practice prohibited under this paragraph, filing or indicating an intent  
4 to file a complaint or otherwise attempting to enforce any right under this paragraph,  
5 or testifying, assisting, or participating in any manner in any investigation, action,  
6 or proceeding to enforce any right under this paragraph.

7           (b) After an employer has offered employment to a prospective employee and  
8 the details of compensation have been agreed upon, the employer may obtain the  
9 prospective employee's written consent for the employer to solicit information about,  
10 or take action to confirm, the prospective employee's current or prior compensation.

11           **(2) DISCLOSURE OF COMPENSATION INFORMATION BY EMPLOYEES.** (a) An employee  
12 may disclose the details of the employee's compensation to anyone and, subject to par.  
13 (d), may discuss the compensation of other employees of the same employer and may  
14 ask other employees of the same employer for details regarding their compensation.

15           (b) Except as provided in par. (d), no employer may interfere with, restrain, or  
16 deny the exercise of the right of an employee to disclose, discuss, or inquire about  
17 compensation as provided in par. (a).

18           (c) An employer may not discharge or discriminate against an employee in  
19 promotion, in compensation, or in the terms, conditions, or privileges of employment  
20 for disclosing, discussing, or inquiring about compensation as provided in par. (a),  
21 opposing a practice prohibited under par. (b), filing or indicating an intent to file a  
22 complaint or otherwise attempting to enforce any right under par. (a), or testifying,  
23 assisting, or participating in any manner in any investigation, action, or proceeding  
24 to enforce any right under par. (a).



1 (d) Subject to s. 19.35, an employer may prohibit a human resources or payroll  
2 employee, a supervisor, or any other employee whose job responsibilities require or  
3 allow the employee access to other employees' compensation information from  
4 disclosing information about any other employee's compensation without that  
5 employee's prior written consent.

6 **(3) ENFORCEMENT.** Any employee or prospective employee who is refused  
7 employment, terminated, discharged, or otherwise discriminated against in  
8 violation of sub. (1) (a) or (2) (a) to (c) may file a complaint with the department, and  
9 the department shall process the complaint in the same manner that employment  
10 discrimination complaints are processed under s. 111.39. If the department finds  
11 that a violation has occurred, the department may order the employer to take action  
12 to remedy the violation, including reinstating the employee, providing compensation  
13 in lieu of reinstatement, providing back pay accrued not more than 2 years before the  
14 complaint was filed, and paying reasonable actual costs and, notwithstanding s.  
15 814.04 (1), reasonable attorney fees to the complainant.

16 **(4) NOTICE POSTED.** (a) Each employer shall provide notice to employees and  
17 prospective employees of their rights under this section by doing all of the following:

18 1. Posting, in one or more conspicuous places where notices to employees are  
19 customarily posted, a notice in a form approved by the department setting forth  
20 employees' and prospective employees' rights under this section.

21 2. Including, on each listing for a job vacancy or other employment opportunity  
22 that is advertised by email, posting on a website, or other electronic means, a notice  
23 that includes all of the following information:

24 a. A statement that the employer is prohibited from relying on a prospective  
25 employee's current or former compensation when determining whether to make an

1 offer of employment or setting compensation or when making an offer of  
2 employment.

3 b. A statement that the employer is prohibited from asking about a prospective  
4 employee's compensation until after the employer has offered the prospective  
5 employee employment and they have agreed upon the details of compensation.

6 c. A statement that the employer is prohibited from requiring that a  
7 prospective employee's current or prior compensation meet certain criteria in order  
8 for the prospective employee to be considered for employment.

9 d. Information, or a hyperlink to information, regarding prohibited bases of  
10 discrimination under subch. II of ch. 111.

11 (b) Any employer that violates par. (a) shall forfeit not more than \$100 for each  
12 offense.

13 **SECTION 218.** 103.36 of the statutes is repealed.

14 **SECTION 219.** 103.49 of the statutes is created to read:

15 **103.49 Wage rate on state work. (1) DEFINITIONS.** In this section:

16 (a) "Area" means the county in which a proposed project of public works that  
17 is subject to this section is located or, if the department determines that there is  
18 insufficient wage data in that county, "area" means those counties that are  
19 contiguous to that county or, if the department determines that there is insufficient  
20 wage data in those counties, "area" means those counties that are contiguous to those  
21 counties or, if the department determines that there is insufficient wage data in those  
22 counties, "area" means the entire state or, if the department is requested to review  
23 a determination under sub. (3) (c), "area" means the city, village, or town in which  
24 a proposed project of public works that is subject to this section is located.

1           (am) “Bona fide economic benefit” means an economic benefit for which an  
2 employer makes irrevocable contributions to a trust or fund created under 29 USC  
3 186 (c) or to any other bona fide plan, trust, program, or fund no less often than  
4 quarterly or, if an employer makes annual contributions to such a bona fide plan,  
5 trust, program, or fund, for which the employer irrevocably escrows moneys at least  
6 quarterly based on the employer’s expected annual contribution.

7           (b) “Hourly basic rate of pay” means the hourly wage paid to any employee,  
8 excluding any contributions or payments for health insurance benefits, vacation  
9 benefits, pension benefits, and any other bona fide economic benefits, whether paid  
10 directly or indirectly.

11           (bg) “Insufficient wage data” means less than 500 hours of work performed in  
12 a particular trade or occupation on projects that are similar to a proposed project of  
13 public works that is subject to this section.

14           (bj) “Minor service or maintenance work” means a project of public works that  
15 is limited to minor crack filling, chip or slurry sealing, or other minor pavement  
16 patching, not including overlays, that has a projected life span of no longer than 5  
17 years; cleaning of drainage or sewer ditches or structures; or any other limited, minor  
18 work on public facilities or equipment that is routinely performed to prevent  
19 breakdown or deterioration.

20           (br) “Multiple-trade project of public works” means a project of public works  
21 in which no single trade accounts for 85 percent or more of the total labor cost of the  
22 project.

23           (c) “Prevailing hours of labor” for any trade or occupation in any area means  
24 10 hours per day and 40 hours per week and may not include any hours worked on  
25 a Saturday or Sunday or on any of the following holidays:

- 1           1. January 1.
- 2           2. The last Monday in May.
- 3           3. July 4.
- 4           4. The first Monday in September.
- 5           5. The 4th Thursday in November.
- 6           6. December 25.
- 7           7. The day before if January 1, July 4, or December 25 falls on a Saturday.
- 8           8. The day following if January 1, July 4, or December 25 falls on a Sunday.

9           (d) 1. Except as provided in subd. 2., “prevailing wage rate” for any trade or  
10 occupation engaged in the erection, construction, remodeling, repairing, or  
11 demolition of any project of public works in any area means the hourly basic rate of  
12 pay, plus the hourly contribution for health insurance benefits, vacation benefits,  
13 pension benefits, and any other bona fide economic benefit, paid directly or indirectly  
14 for a majority of the hours worked in the trade or occupation on projects in the area.

15           2. If there is no rate at which a majority of the hours worked in the trade or  
16 occupation on projects in the area is paid, “prevailing wage rate” for any trade or  
17 occupation engaged in the erection, construction, remodeling, repairing, or  
18 demolition of any project of public works in any area means the average hourly basic  
19 rate of pay, weighted by the number of hours worked, plus the average hourly  
20 contribution, weighted by the number of hours worked, for health insurance benefits,  
21 vacation benefits, pension benefits, and any other bona fide economic benefit, paid  
22 directly or indirectly for all hours worked at the hourly basic rate of pay of the  
23 highest-paid 51 percent of hours worked in that trade or occupation on projects in  
24 that area.

1 (em) “Single-trade project of public works” means a project of public works in  
2 which a single trade accounts for 85 percent or more of the total labor cost of the  
3 project.

4 (f) “State agency” means any office, department, independent agency,  
5 institution of higher education, association, society, or other body in state  
6 government created or authorized to be created by the constitution or any law,  
7 including the legislature and the courts. “State agency” also includes the University  
8 of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System  
9 Authority, and the Wisconsin Aerospace Authority.

10 (fm) “Supply and installation contract” means a contract under which the  
11 material is installed by the supplier, the material is installed by means of simple  
12 fasteners or connectors such as screws or nuts and bolts, and no other work is  
13 performed on the site of the project of public works, and the total labor cost to install  
14 the material does not exceed 20 percent of the total cost of the contract.

15 (g) “Truck driver” includes an owner-operator of a truck.

16 **(1m) APPLICABILITY.** Subject to sub. (3g), this section applies to any project of  
17 public works erected, constructed, repaired, remodeled, or demolished for the state  
18 or a state agency, including all of the following:

19 (a) A project erected, constructed, repaired, remodeled, or demolished by one  
20 state agency for another state agency under any contract or under any statute  
21 specifically authorizing cooperation between state agencies.

22 (b) A project in which the completed facility is leased, purchased, lease  
23 purchased, or otherwise acquired by, or dedicated to, the state in lieu of the state or  
24 a state agency contracting for the erection, construction, repair, remodeling, or  
25 demolition of the facility.

1           (c) A sanitary sewer or water main project in which the completed sanitary  
2 sewer or water main is acquired by, or dedicated to, the state for ownership or  
3 maintenance by the state.

4           **(2) PREVAILING WAGE RATES AND HOURS OF LABOR.** Any contract made for the  
5 erection, construction, remodeling, repairing, or demolition of any project of public  
6 works to which the state or any state agency is a party shall contain a stipulation that  
7 no individual performing the work described in sub. (2m) may be allowed to work a  
8 greater number of hours per day or per week than the prevailing hours of labor,  
9 except that any such individual may be allowed or required to work more than such  
10 prevailing hours of labor per day and per week if he or she is paid for all hours worked  
11 in excess of the prevailing hours of labor at a rate of at least 1.5 times his or her hourly  
12 basic rate of pay; nor may he or she be paid less than the prevailing wage rate  
13 determined under sub. (3) in the same or most similar trade or occupation in the area  
14 in which the project of public works is situated. The notice published for the purpose  
15 of securing bids for the project must contain a reference to the prevailing wage rates  
16 determined under sub. (3) and the prevailing hours of labor. Except as otherwise  
17 provided in this subsection, if any contract or subcontract for a project of public works  
18 that is subject to this section is entered into, the prevailing wage rates determined  
19 under sub. (3) and the prevailing hours of labor shall be physically incorporated into  
20 and made a part of the contract or subcontract. For a minor subcontract, as  
21 determined by the department, the department shall prescribe by rule the method  
22 of notifying the minor subcontractor of the prevailing wage rates and prevailing  
23 hours of labor applicable to the minor subcontract. The prevailing wage rates and  
24 prevailing hours of labor applicable to a contract or subcontract may not be changed  
25 during the time that the contract or subcontract is in force.

1           **(2m)** COVERED EMPLOYEES. (a) Subject to par. (b), any person subject to this  
2 section shall pay all of the following employees the prevailing wage rate determined  
3 under sub. (3) and may not allow such employees to work a greater number of hours  
4 per day or per week than the prevailing hours of labor, unless the person pays for all  
5 hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times  
6 the employees' hourly basic rate of pay:

7           1. All laborers, workers, mechanics, and truck drivers employed on the site of  
8 a project of public works that is subject to this section.

9           2. All laborers, workers, mechanics, and truck drivers employed in the  
10 manufacturing or furnishing of materials, articles, supplies, or equipment on the site  
11 of a project of public works that is subject to this section or from a facility dedicated  
12 exclusively, or nearly so, to a project of public works that is subject to this section by  
13 a contractor, subcontractor, agent, or other person performing any work on the site  
14 of the project.

15           (b) A laborer, worker, mechanic, or truck driver who is employed to process,  
16 manufacture, pick up, or deliver materials or products from a commercial  
17 establishment that has a fixed place of business from which the establishment  
18 supplies processed or manufactured materials or products or from a facility that is  
19 not dedicated exclusively, or nearly so, to a project of public works that is subject to  
20 this section is not entitled to receive the prevailing wage rate determined under sub.  
21 (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours  
22 worked in excess of the prevailing hours of labor unless any of the following applies:

23           1. The laborer, worker, mechanic, or truck driver is employed to go to the source  
24 of mineral aggregate such as sand, gravel, or stone and deliver that mineral  
25 aggregate to the site of a project of public works that is subject to this section by

1 depositing the material directly in final place, from the transporting vehicle or  
2 through spreaders from the transporting vehicle.

3 2. The laborer, worker, mechanic, or truck driver is employed to go to the site  
4 of a project that is subject to this section, pick up excavated material or spoil from  
5 the site of the project of public works, and transport that excavated material or spoil  
6 away from the site of the project.

7 (c) A person that is subject to this section shall pay a truck driver who is an  
8 owner-operator of a truck separately for his or her work and for the use of his or her  
9 truck.

10 **(3) INVESTIGATION; DETERMINATION.** (a) Before a state agency issues a request  
11 for bids for any work to which this section applies, the state agency having the  
12 authority to prescribe the specifications shall apply to the department to determine  
13 the prevailing wage rate for each trade or occupation required in the work under  
14 contemplation in the area in which the work is to be done. The department shall  
15 conduct investigations and hold public hearings as necessary to define the trades or  
16 occupations that are commonly employed on projects that are subject to this section  
17 and to inform itself of the prevailing wage rates in all areas of the state for those  
18 trades or occupations, in order to determine the prevailing wage rate for each trade  
19 or occupation. The department shall issue its determination within 30 days after  
20 receiving the request and shall file the determination with the requesting state  
21 agency. A state agency that has contracted for a project of public works subject to this  
22 section shall post the prevailing wage rates determined by the department, the  
23 prevailing hours of labor, and the provisions of subs. (2) and (6m) in at least one  
24 conspicuous place on the site of the project that is easily accessible by employees  
25 working on the project.



1           (am) The department shall, by January 1 of each year, compile the prevailing  
2 wage rates for each trade or occupation in each area. The compilation shall, in  
3 addition to the current prevailing wage rates, include future prevailing wage rates  
4 when those prevailing wage rates can be determined for any trade or occupation in  
5 any area and shall specify the effective date of those future prevailing wage rates.  
6 If a project of public works extends into more than one area, the department shall  
7 determine only one standard of prevailing wage rates for the entire project.

8           (ar) In determining prevailing wage rates under par. (a) or (am), the  
9 department may not use data from projects that are subject to this section, s. 66.0903,  
10 103.50, or 229.8275, or 40 USC 3142 unless the department determines that there  
11 is insufficient wage data in the area to determine those prevailing wage rates, in  
12 which case the department may use data from projects that are subject to this  
13 section, s. 66.0903, 103.50, or 229.8275, or 40 USC 3142. In determining prevailing  
14 wage rates under par. (a) or (am), the department may not use data from any  
15 construction work performed by a state agency or a local governmental unit, as  
16 defined in s. 66.0903 (1) (d).

17           (b) Any person may request a recalculation of any portion of an initial  
18 determination within 30 days after the initial determination date if the person  
19 submits evidence with the request showing that the prevailing wage rate for any  
20 given trade or occupation included in the initial determination does not represent the  
21 prevailing wage rate for that trade or occupation in the area. The evidence shall  
22 include wage rate information reflecting work performed by individuals working in  
23 the contested trade or occupation in the area during the current survey period. The  
24 department shall affirm or modify the initial determination within 15 days after the  
25 date on which the department receives the request for recalculation.

1           (c) In addition to the recalculation under par. (b), the state agency that  
2 requested the determination under this subsection may request a review of any  
3 portion of a determination within 30 days after the date of issuance of the  
4 determination if the state agency submits evidence with the request showing that  
5 the prevailing wage rate for any given trade or occupation included in the  
6 determination does not represent the prevailing wage rate for that trade or  
7 occupation in the city, village, or town in which the proposed project of public works  
8 is located. That evidence shall include wage rate information for the contested trade  
9 or occupation on at least 3 similar projects located in the city, village, or town where  
10 the proposed project of public works is located on which some work has been  
11 performed during the current survey period and that were considered by the  
12 department in issuing its most recent compilation under par. (am). The department  
13 shall affirm or modify the determination within 15 days after the date on which the  
14 department receives the request for review.

15           **(3g) NONAPPLICABILITY.** This section does not apply to any of the following:

16           (a) A single-trade project of public works for which the estimated project cost  
17 of completion is less than \$48,000 or a multiple-trade project of public works for  
18 which the estimated project cost of completion is less than \$100,000.

19           (b) Work performed on a project of public works for which the state or the state  
20 agency contracting for the project is not required to compensate any contractor,  
21 subcontractor, contractor's or subcontractor's agent, or individual for performing the  
22 work.

23           (c) Minor service or maintenance work, warranty work, or work under a supply  
24 and installation contract.

25           (f) A public highway, street, or bridge project.

1 (g) A project of public works involving the erection, construction, repair,  
2 remodeling, or demolition of a residential property containing 2 dwelling units or  
3 less.

4 (h) A road, street, bridge, sanitary sewer, or water main project that is a part  
5 of a development in which not less than 90 percent of the lots contain or will contain  
6 2 dwelling units or less, as determined by the local governmental unit at the time of  
7 approval of the development, and that, on completion, is acquired by, or dedicated to,  
8 the state for ownership or maintenance by the state.

9 **(4r) COMPLIANCE.** (a) When the department finds that a state agency has not  
10 requested a determination under sub. (3) (a) or that a state agency, contractor, or  
11 subcontractor has not physically incorporated a determination into a contract or  
12 subcontract as required under sub. (2) or has not notified a minor subcontractor of  
13 a determination in the manner prescribed by the department by rule promulgated  
14 under sub. (2), the department shall notify the state agency, contractor, or  
15 subcontractor of the noncompliance and shall file the determination with the state  
16 agency, contractor, or subcontractor within 30 days after the notice.

17 (b) Upon completion of a project of public works and before receiving final  
18 payment for his or her work on the project, each agent or subcontractor shall furnish  
19 the contractor with an affidavit stating that the agent or subcontractor has complied  
20 fully with the requirements of this section. A contractor may not authorize final  
21 payment until the affidavit is filed in proper form and order.

22 (c) Upon completion of a project of public works and before receiving final  
23 payment for his or her work on the project, each contractor shall file with the state  
24 agency authorizing the work an affidavit stating that the contractor has complied  
25 fully with the requirements of this section and that the contractor has received an

1 affidavit under par. (b) from each of the contractor's agents and subcontractors. A  
2 state agency may not authorize a final payment until the affidavit is filed in proper  
3 form and order. If a state agency authorizes a final payment before an affidavit is  
4 filed in proper form and order or if the department determines, based on the greater  
5 weight of the credible evidence, that any person performing the work specified in sub.  
6 (2m) has been or may have been paid less than the prevailing wage rate or less than  
7 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing  
8 hours of labor and requests that the state agency withhold all or part of the final  
9 payment, but the state agency fails to do so, the state agency is liable for all back  
10 wages payable up to the amount of the final payment.

11 **(5) RECORDS; INSPECTION; ENFORCEMENT.** (a) Each contractor, subcontractor, or  
12 contractor's or subcontractor's agent that performs work on a project of public works  
13 that is subject to this section shall keep full and accurate records clearly indicating  
14 the name and trade or occupation of every individual performing the work described  
15 in sub. (2m) and an accurate record of the number of hours worked by each of those  
16 individuals and the actual wages paid for the hours worked.

17 (b) The department shall enforce this section. The department may demand  
18 and examine, and every contractor, subcontractor, and contractor's and  
19 subcontractor's agent shall keep, and furnish upon request by the department,  
20 copies of payrolls and other records and information relating to the wages paid to  
21 individuals performing the work described in sub. (2m) for work to which this section  
22 applies. The department may inspect records in the manner provided in this chapter.  
23 Every contractor, subcontractor, or agent performing work on a project of public  
24 works that is subject to this section is subject to the requirements of this chapter  
25 relating to the examination of records. Section 111.322 (2m) applies to discharge and

1 other discriminatory acts arising in connection with any proceeding under this  
2 section.

3 (c) If requested by any person, the department shall inspect the payroll records  
4 of any contractor, subcontractor, or agent performing work on a project of public  
5 works that is subject to this section as provided in this paragraph to ensure  
6 compliance with this section. On receipt of such a request, the department shall  
7 request that the contractor, subcontractor, or agent submit to the department a  
8 certified record of the information specified in par. (a), other than personally  
9 identifiable information relating to an employee of the contractor, subcontractor, or  
10 agent, for no longer than a 4-week period. The department may request a contractor,  
11 subcontractor, or agent to submit those records no more than once per calendar  
12 quarter for each project of public works on which the contractor, subcontractor, or  
13 agent is performing work. The department may not charge a requester a fee for  
14 obtaining that information. Certified records submitted to the department under  
15 this paragraph are open for public inspection and copying under s. 19.35 (1).

16 **(6m)** LIABILITY AND PENALTIES. (ag) 1. A contractor, subcontractor, or  
17 contractor's or subcontractor's agent who fails to pay the prevailing wage rate  
18 determined by the department under sub. (3) or who pays less than 1.5 times the  
19 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor  
20 is liable to any affected employee in the amount of his or her unpaid wages or his or  
21 her unpaid overtime compensation and in an additional amount as liquidated  
22 damages as provided in subd. 2. or 3., whichever is applicable.

23 2. If the department determines upon inspection under sub. (5) (b) or (c) that  
24 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay  
25 the prevailing wage rate determined by the department under sub. (3) or has paid

1 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the  
2 prevailing hours of labor, the department shall order the contractor to pay to any  
3 affected employee the amount of his or her unpaid wages or his or her unpaid  
4 overtime compensation and an additional amount equal to 100 percent of the amount  
5 of those unpaid wages or that unpaid overtime compensation as liquidated damages  
6 within a period specified by the department in the order.

7 3. In addition to or in lieu of recovering the liability specified in subd. 1. as  
8 provided in subd. 2., any employee for and on behalf of that employee and other  
9 employees similarly situated may commence an action to recover that liability in any  
10 court of competent jurisdiction. If the court finds that a contractor, subcontractor,  
11 or contractor's or subcontractor's agent has failed to pay the prevailing wage rate  
12 determined by the department under sub. (3) or has paid less than 1.5 times the  
13 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor,  
14 the court shall order the contractor, subcontractor, or agent to pay to any affected  
15 employee the amount of his or her unpaid wages or his or her unpaid overtime  
16 compensation and an additional amount equal to 100 percent of the amount of those  
17 unpaid wages or that unpaid overtime compensation as liquidated damages.

18 5. No employee may be a party plaintiff to an action under subd. 3. unless the  
19 employee consents in writing to become a party and the consent is filed in the court  
20 in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in  
21 addition to any judgment awarded to the plaintiff, allow reasonable attorney fees  
22 and costs to be paid by the defendant.

23 (am) Except as provided in pars. (b), (d), and (f), any contractor, subcontractor,  
24 or contractor's or subcontractor's agent who violates this section may be fined not

1 more than \$200 or imprisoned for not more than 6 months or both. Each day that  
2 a violation continues is a separate offense.

3 (b) Whoever induces an individual who seeks to be or is employed on any project  
4 of public works that is subject to this section to give up, waive, or return any part of  
5 the wages to which the individual is entitled under the contract governing the  
6 project, or who reduces the hourly basic rate of pay normally paid to an individual  
7 for work on a project that is not subject to this section during a week in which the  
8 individual works both on a project of public works that is subject to this section and  
9 on a project that is not subject to this section, by threat not to employ, by threat of  
10 dismissal from employment, or by any other means is guilty of an offense under s.  
11 946.15 (1).

12 (c) Any individual who is employed on a project of public works that is subject  
13 to this section who knowingly allows a contractor, subcontractor, or contractor's or  
14 subcontractor's agent to pay him or her less than the prevailing wage rate set forth  
15 in the contract governing the project, who gives up, waives, or returns any part of the  
16 compensation to which he or she is entitled under the contract, or who gives up,  
17 waives, or returns any part of the compensation to which he or she is normally  
18 entitled for work on a project that is not subject to this section during a week in which  
19 the individual works both on a project of public works that is subject to this section  
20 and on a project that is not subject to this section, is guilty of an offense under s.  
21 946.15 (2).

22 (d) Whoever induces any individual who seeks to be or is employed on any  
23 project of public works that is subject to this section to allow any part of the wages  
24 to which the individual is entitled under the contract governing the project to be  
25 deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless

1 the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is  
2 working on a project that is subject to 40 USC 3142.

3 (e) Any individual who is employed on a project of public works that is subject  
4 to this section who knowingly allows any part of the wages to which he or she is  
5 entitled under the contract governing the project to be deducted from his or her pay  
6 is guilty of an offense under s. 946.15 (4), unless the deduction would be allowed  
7 under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject  
8 to 40 USC 3142.

9 (f) Paragraph (am) does not apply to any person who fails to provide any  
10 information to the department to assist the department in determining prevailing  
11 wage rates under sub. (3) (a) or (am).

12 **(7) DEBARMENT.** (a) Except as provided under pars. (b) and (c), the department  
13 shall distribute to all state agencies a list of all persons that the department has  
14 found to have failed to pay the prevailing wage rate determined under sub. (3) or has  
15 found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked  
16 in excess of the prevailing hours of labor at any time in the preceding 3 years. The  
17 department shall include with any name the address of the person and shall specify  
18 when the person failed to pay the prevailing wage rate and when the person paid less  
19 than 1.5 times the hourly basic rate of pay for all hours worked in excess of the  
20 prevailing hours of labor. A state agency may not award any contract to the person  
21 unless otherwise recommended by the department or unless 3 years have elapsed  
22 from the date the department issued its findings or date of final determination by a  
23 court of competent jurisdiction, whichever is later.

24 (b) The department may not include in a notification under par. (a) the name  
25 of any person on the basis of having subcontracted a contract for a project of public



1 works to a person that the department has found to have failed to pay the prevailing  
2 wage rate determined under sub. (3) or has found to have paid less than 1.5 times  
3 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of  
4 labor.

5 (c) This subsection does not apply to any contractor, subcontractor, or agent  
6 who in good faith commits a minor violation of this section, as determined on a  
7 case-by-case basis through administrative hearings with all rights to due process  
8 afforded to all parties or who has not exhausted or waived all appeals.

9 (d) Any person submitting a bid on a project of public works that is subject to  
10 this section shall, on the date the person submits the bid, identify any construction  
11 business in which the person, or a shareholder, officer, or partner of the person if the  
12 person is a business, owns or has owned at least a 25 percent interest on the date the  
13 person submits the bid or at any other time within 3 years preceding the date the  
14 person submits the bid, if the business has been found to have failed to pay the  
15 prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times  
16 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of  
17 labor.

18 (e) The department shall promulgate rules to administer this subsection.

19 **SECTION 220.** 103.50 of the statutes is created to read:

20 **103.50 Highway contracts. (1) DEFINITIONS.** In this section:

21 (a) “Area” means the county in which a proposed project that is subject to this  
22 section is located or, if the department determines that there is insufficient wage  
23 data in that county, “area” means those counties that are contiguous to that county  
24 or, if the department determines that there is insufficient wage data in those  
25 counties, “area” means those counties that are contiguous to those counties or, if the

1 department determines that there is insufficient wage data in those counties, “area”  
2 means the entire state.

3 (b) “Hourly basic rate of pay” has the meaning given in s. 103.49 (1) (b).

4 (bg) “Insufficient wage data” has the meaning given in s. 103.49 (1) (bg).

5 (c) “Prevailing hours of labor” has the meaning given in s. 103.49 (1) (c).

6 (d) 1. Except as provided in subd. 2., “prevailing wage rate” for any trade or  
7 occupation in any area means the hourly basic rate of pay, plus the hourly  
8 contribution for health insurance benefits, vacation benefits, pension benefits, and  
9 any other bona fide economic benefit, paid directly or indirectly, for a majority of the  
10 hours worked in the trade or occupation in the area.

11 2. If there is no rate at which a majority of the hours worked in the trade or  
12 occupation in the area is paid, “prevailing wage rate” means the average hourly basic  
13 rate of pay, weighted by the number of hours worked, plus the average hourly  
14 contribution, weighted by the number of hours worked, for health insurance benefits,  
15 vacation benefits, pension benefits, and any other bona fide economic benefit, paid  
16 directly or indirectly for all hours worked at the hourly basic rate of pay of the  
17 highest-paid 51 percent of hours worked in that trade or occupation in that area.

18 (e) “Truck driver” has the meaning given in s. 103.49 (1) (g).

19 **(2) PREVAILING WAGE RATES AND HOURS OF LABOR.** No contractor, subcontractor,  
20 agent, or other person performing any work on a project under a contract based on  
21 bids as provided in s. 84.06 (2) to which the state is a party for the construction or  
22 improvement of any highway may do any of the following:

23 (a) Pay an individual performing the work described in sub. (2m) less than the  
24 prevailing wage rate in the area in which the work is to be done determined under  
25 sub. (3).

1 (b) Allow an individual performing the work described in sub. (2m) to work a  
2 greater number of hours per day or per week than the prevailing hours of labor,  
3 unless the contractor, subcontractor, or contractor's or subcontractor's agent pays  
4 the individual for all hours worked in excess of the prevailing hours of labor at a rate  
5 of at least 1.5 times the individual's hourly basic rate of pay.

6 **(2g) NONAPPLICABILITY.** This section does not apply to a single-trade project of  
7 public works, as defined in s. 103.49 (1) (em), for which the estimated project cost of  
8 completion is less than \$48,000 or a multiple-trade project of public works, as  
9 defined in s. 103.49 (1) (br), for which the estimated project cost of completion is less  
10 than \$100,000.

11 **(2m) COVERED EMPLOYEES.** (a) Subject to par. (b), any person subject to this  
12 section shall pay all of the following employees the prevailing wage rate determined  
13 under sub. (3) and may not allow such employees to work a greater number of hours  
14 per day or per week than the prevailing hours of labor, unless the person pays for all  
15 hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times  
16 the employees' hourly basic rate of pay:

17 1. All laborers, workers, mechanics, and truck drivers employed on the site of  
18 a project that is subject to this section.

19 2. All laborers, workers, mechanics, and truck drivers employed in the  
20 manufacturing or furnishing of materials, articles, supplies, or equipment on the site  
21 of a project that is subject to this section or from a facility dedicated exclusively, or  
22 nearly so, to a project that is subject to this section by a contractor, subcontractor,  
23 agent, or other person performing any work on the site of the project.

24 (b) A laborer, worker, mechanic, or truck driver who is employed to process,  
25 manufacture, pick up, or deliver materials or products from a commercial

1 establishment that has a fixed place of business from which the establishment  
2 supplies processed or manufactured materials or products or from a facility that is  
3 not dedicated exclusively, or nearly so, to a project that is subject to this section is not  
4 entitled to receive the prevailing wage rate determined under sub. (3) or to receive  
5 at least 1.5 times his or her hourly basic rate of pay for all hours worked in excess  
6 of the prevailing hours of labor unless any of the following applies:

7 1. The laborer, worker, mechanic, or truck driver is employed to go to the source  
8 of mineral aggregate such as sand, gravel, or stone and deliver that mineral  
9 aggregate to the site of a project that is subject to this section by depositing the  
10 material directly in final place, from the transporting vehicle or through spreaders  
11 from the transporting vehicle.

12 2. The laborer, worker, mechanic, or truck driver is employed to go to the site  
13 of a project that is subject to this section, pick up excavated material or spoil from  
14 the site of the project, and transport that excavated material or spoil away from the  
15 site of the project and return to the site of the project.

16 (c) A contractor, subcontractor, agent, or other person performing work on a  
17 project subject to this section shall pay a truck driver who is an owner-operator of  
18 a truck separately for his or her work and for the use of his or her truck.

19 **(3) INVESTIGATIONS; DETERMINATIONS.** The department shall conduct  
20 investigations and hold public hearings necessary to define the trades or occupations  
21 that are commonly employed in the highway construction industry and to inform the  
22 department of the prevailing wage rates in all areas of the state for those trades or  
23 occupations, in order to ascertain and determine the prevailing wage rates  
24 accordingly.

1           **(4) CERTIFICATION OF PREVAILING WAGE RATES.** The department of workforce  
2 development shall, by May 1 of each year, certify to the department of transportation  
3 the prevailing wage rates in each area for all trades or occupations commonly  
4 employed in the highway construction industry. The certification shall, in addition  
5 to the current prevailing wage rates, include future prevailing wage rates when such  
6 prevailing wage rates can be determined for any such trade or occupation in any area  
7 and shall specify the effective date of those future prevailing wage rates. The  
8 certification shall also include wage rates for work performed on Sundays or the  
9 holidays specified in s. 103.49 (1) (c) and shift differentials based on the time of day  
10 or night when work is performed. If a construction project extends into more than  
11 one area, the department shall determine only one standard of prevailing wage rates  
12 for the entire project.

13           **(4m) WAGE RATE DATA.** In determining prevailing wage rates for projects that  
14 are subject to this section, the department shall use data from projects that are  
15 subject to this section, s. 66.0903 or 103.49, or 40 USC 3142. In determining  
16 prevailing wage rates for those projects, the department may not use data from any  
17 construction work that is performed by a state agency or a local governmental unit,  
18 as defined in s. 66.0903 (1) (d).

19           **(5) APPEALS TO GOVERNOR.** If the department of transportation considers any  
20 determination of the department of workforce development of the prevailing wage  
21 rates in an area to be incorrect, it may appeal to the governor, whose determination  
22 is final.

23           **(6) CONTENTS OF CONTRACTS.** The department of transportation shall include  
24 a reference to the prevailing wage rates determined under sub. (3) and the prevailing  
25 hours of labor in the notice published for the purpose of securing bids for a project.

1 Except as otherwise provided in this subsection, if any contract or subcontract for a  
2 project that is subject to this section is entered into, the prevailing wage rates  
3 determined under sub. (3) and the prevailing hours of labor shall be physically  
4 incorporated into and made a part of the contract or subcontract. For a minor  
5 subcontract, as determined by the department of workforce development, that  
6 department shall prescribe by rule the method of notifying the minor subcontractor  
7 of the prevailing wage rates and prevailing hours of labor applicable to the minor  
8 subcontract. The prevailing wage rates and prevailing hours of labor applicable to  
9 a contract or subcontract may not be changed during the time that the contract or  
10 subcontract is in force. The department of transportation shall post the prevailing  
11 wage rates determined by the department, the prevailing hours of labor, and the  
12 provisions of subs. (2) and (7) in at least one conspicuous place that is easily  
13 accessible to the employees on the site of the project.

14 **(7) PENALTIES.** (a) Except as provided in pars. (b), (d), and (f), any contractor,  
15 subcontractor, or contractor's or subcontractor's agent who violates this section may  
16 be fined not more than \$200 or imprisoned for not more than 6 months or both. Each  
17 day that a violation continues is a separate offense.

18 (b) Whoever induces any individual who seeks to be or is employed on any  
19 project that is subject to this section to give up, waive, or return any part of the wages  
20 to which the individual is entitled under the contract governing the project, or who  
21 reduces the hourly basic rate of pay normally paid to an individual for work on a  
22 project that is not subject to this section during a week in which the individual works  
23 both on a project that is subject to this section and on a project that is not subject to  
24 this section, by threat not to employ, by threat of dismissal from employment, or by  
25 any other means is guilty of an offense under s. 946.15 (1).

1           (c) Any individual employed on a project that is subject to this section who  
2 knowingly allows a contractor, subcontractor, or contractor's or subcontractor's  
3 agent to pay him or her less than the prevailing wage rate set forth in the contract  
4 governing the project, who gives up, waives, or returns any part of the compensation  
5 to which he or she is entitled under the contract, or who gives up, waives, or returns  
6 any part of the compensation to which he or she is normally entitled for work on a  
7 project that is not subject to this section during a week in which the individual works  
8 both on a project that is subject to this section and on a project that is not subject to  
9 this section, is guilty of an offense under s. 946.15 (2).

10           (d) Whoever induces any individual who seeks to be or is employed on any  
11 project that is subject to this section to allow any part of the wages to which the  
12 individual is entitled under the contract governing the project to be deducted from  
13 the individual's pay is guilty of an offense under s. 946.15 (3), unless the deduction  
14 would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a  
15 project that is subject to 40 USC 3142.

16           (e) Any individual employed on a project that is subject to this section who  
17 knowingly allows any part of the wages to which he or she is entitled under the  
18 contract governing the project to be deducted from his or her pay is guilty of an  
19 offense under s. 946.15 (4), unless the deduction would be allowed under 29 CFR 3.5  
20 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

21           (f) Paragraph (a) does not apply to any individual who fails to provide any  
22 information to the department to assist the department in determining prevailing  
23 wage rates under sub. (3) or (4).

24           **(8) ENFORCEMENT AND PROSECUTION.** The department of transportation shall  
25 require adherence to subs. (2), (2m), and (6). The department of transportation may

1 demand and examine, and every contractor, subcontractor, and contractor's or  
2 subcontractor's agent shall keep and furnish upon request by the department of  
3 transportation, copies of payrolls and other records and information relating to  
4 compliance with this section. Upon request of the department of transportation or  
5 upon complaint of alleged violation, the district attorney of the county in which the  
6 work is located shall investigate as necessary and prosecute violations in a court of  
7 competent jurisdiction. Section 111.322 (2m) applies to discharge and other  
8 discriminatory acts arising in connection with any proceeding under this section.

9 **SECTION 221.** 103.503 (1) (a) of the statutes is amended to read:

10 103.503 (1) (a) "Accident" means an incident caused, contributed to, or  
11 otherwise involving an employee that resulted or could have resulted in death,  
12 personal injury, or property damage and that occurred while the employee was  
13 performing the work described in s. 66.0903 (4), ~~2013 stats.~~, or s. ~~16.856~~ 103.49 (2m),  
14 ~~2015 stats.~~, on a project of public works or while the employee was performing work  
15 on a public utility project.

16 **SECTION 222.** 103.503 (1) (e) of the statutes is amended to read:

17 103.503 (1) (e) "Employee" means a laborer, worker, mechanic, or truck driver  
18 who performs the work described in s. 66.0903 (4), ~~2013 stats.~~, or s. ~~16.856~~ 103.49  
19 (2m), ~~2015 stats.~~, on a project of public works or on a public utility project.

20 **SECTION 223.** 103.503 (1) (g) of the statutes is repealed and recreated to read:

21 103.503 (1) (g) "Project of public works" means a project of public works that  
22 is subject to s. 66.0903 or 103.49.

23 **SECTION 224.** 103.503 (2) of the statutes is amended to read:

24 103.503 (2) SUBSTANCE ABUSE PROHIBITED. No employee may use, possess,  
25 attempt to possess, distribute, deliver, or be under the influence of a drug, or use or



1 be under the influence of alcohol, while performing the work described in s. 66.0903  
2 (4), ~~2013 stats.~~, or s. ~~16.856~~ 103.49 (2m), ~~2015 stats.~~, on a project of public works or  
3 while performing work on a public utility project. An employee is considered to be  
4 under the influence of alcohol for purposes of this subsection if he or she has an  
5 alcohol concentration that is equal to or greater than the amount specified in s.  
6 885.235 (1g) (d).

7 **SECTION 225.** 103.503 (3) (a) 2. of the statutes is amended to read:

8 103.503 (3) (a) 2. A requirement that employees performing the work described  
9 in s. 66.0903 (4), ~~2013 stats.~~, or s. ~~16.856~~ 103.49 (2m), ~~2015 stats.~~, on a project of  
10 public works or performing work on a public utility project submit to random,  
11 reasonable suspicion, and post-accident drug and alcohol testing and to drug and  
12 alcohol testing before commencing work on the project, except that testing of an  
13 employee before commencing work on a project is not required if the employee has  
14 been participating in a random testing program during the 90 days preceding the  
15 date on which the employee commenced work on the project.

16 **SECTION 226.** 104.001 (3) of the statutes is created to read:

17 104.001 (3) This section does not affect an ordinance that, subject to s. 66.0903,  
18 requires an employee of a city, village, town, or county, an employee who performs  
19 work under a contract for the provision of services to a city, village, town, or county,  
20 or an employee who performs work that is funded by financial assistance from a city,  
21 village, town, or county to be paid at a minimum wage rate specified in the ordinance.

22 **SECTION 227.** 104.001 (4) of the statutes is created to read:

23 104.001 (4) This section does not affect the requirement that employees  
24 employed on a public works project contracted for by a city, village, town, or county

1 be paid at the prevailing wage rate, as defined in s. 66.0903 (1) (g), as required under  
2 s. 66.0903.

3 **SECTION 228.** 104.01 (1h) of the statutes is created to read:

4 104.01 (1h) “Consumer price index” means the average of the consumer price  
5 index over each 12-month period for all urban consumers, U.S. city average, all  
6 items, not seasonally adjusted, as determined by the bureau of labor statistics of the  
7 U.S. department of labor.

8 **SECTION 229.** 104.035 (1) (a) of the statutes is renumbered 104.035 (1) (a)  
9 (intro.) and amended to read:

10 104.035 (1) (a) *Minimum rates.* (intro.) Except as provided in subs. (2) to (8)  
11 (8m), the minimum wage is as follows:

12 1. For wages earned prior to the effective date of this subdivision .... [LRB  
13 inserts date], \$7.25 per hour.

14 **SECTION 230.** 104.035 (1) (a) 2. of the statutes is created to read:

15 104.035 (1) (a) 2. For wages earned on or after the effective date of this  
16 subdivision .... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

17 **SECTION 231.** 104.035 (1) (a) 3. of the statutes is created to read:

18 104.035 (1) (a) 3. For wages earned on or after January 1, 2025, and prior to  
19 January 1, 2026, \$9.25.

20 **SECTION 232.** 104.035 (1) (a) 4. of the statutes is created to read:

21 104.035 (1) (a) 4. For wages earned on or after January 1, 2026, and prior to  
22 January 1, 2027, \$10.25.

23 **SECTION 233.** 104.035 (2) (a) of the statutes is renumbered 104.035 (2) (a)  
24 (intro.) and amended to read:

1           104.035 (2) (a) *Minimum rates.* (intro.) Except as provided in subs. (2m) to ~~(8)~~  
2           ~~(8m)~~, the minimum wage for a minor employee is as follows:

3           1. For wages earned prior to the effective date of this subdivision ... [LRB  
4           inserts date], \$7.25 per hour.

5           **SECTION 234.** 104.035 (2) (a) 2. of the statutes is created to read:

6           104.035 (2) (a) 2. For wages earned on or after the effective date of this  
7           subdivision ... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

8           **SECTION 235.** 104.035 (2) (a) 3. of the statutes is created to read:

9           104.035 (2) (a) 3. For wages earned on or after January 1, 2025, and prior to  
10          January 1, 2026, \$9.25.

11          **SECTION 236.** 104.035 (2) (a) 4. of the statutes is created to read:

12          104.035 (2) (a) 4. For wages earned on or after January 1, 2026, and prior to  
13          January 1, 2027, \$10.25.

14          **SECTION 237.** 104.035 (2m) (a) of the statutes is renumbered 104.035 (2m) (a)  
15          (intro.) and amended to read:

16          104.035 (2m) (a) *Minimum rates.* (intro.) Except as provided in subs. (3) to ~~(8)~~  
17          ~~(8m)~~, the minimum wage for an opportunity employee is as follows:

18          1. For wages earned prior to the effective date of this subdivision ... [LRB  
19          inserts date], \$5.90 per hour.

20          **SECTION 238.** 104.035 (2m) (a) 2. of the statutes is created to read:

21          104.035 (2m) (a) 2. For wages earned on or after the effective date of this  
22          subdivision ... [LRB inserts date], and prior to January 1, 2025, \$6.71 per hour.

23          **SECTION 239.** 104.035 (2m) (a) 3. of the statutes is created to read:

24          104.035 (2m) (a) 3. For wages earned on or after January 1, 2025, and prior to  
25          January 1, 2026, \$7.52.

1           **SECTION 240.** 104.035 (2m) (a) 4. of the statutes is created to read:

2           104.035 **(2m)** (a) 4. For wages earned on or after January 1, 2026, and prior to  
3           January 1, 2027, \$8.33.

4           **SECTION 241.** 104.035 (3) (a) (intro.) of the statutes is amended to read:

5           104.035 **(3)** (a) *Minimum rates.* (intro.) Except as provided in subs. (4) to ~~(8)~~  
6           ~~(8m)~~, if an employer of a tipped employee establishes by the employer's payroll  
7           records that, when adding the tips received by the tipped employee in a week to the  
8           wages paid to the tipped employee in that week, the tipped employee receives not less  
9           than the applicable minimum wage specified in sub. (1), (2), or (2m), the minimum  
10          wage for the tipped employee is as follows:

11          **SECTION 242.** 104.035 (3) (a) 1. of the statutes is amended to read:

12          104.035 **(3)** (a) 1. For wages earned by a tipped employee who is not an  
13          opportunity employee prior to the effective date of this subdivision ... [LRB inserts  
14          date], \$2.33 per hour.

15          **SECTION 243.** 104.035 (3) (a) 1d. of the statutes is created to read:

16          104.035 **(3)** (a) 1d. For wages earned by a tipped employee who is not an  
17          opportunity employee, on or after the effective date of this subdivision ... [LRB  
18          inserts date], and prior to January 1, 2025, \$2.65 per hour.

19          **SECTION 244.** 104.035 (3) (a) 1h. of the statutes is created to read:

20          104.035 **(3)** (a) 1h. For wages earned by a tipped employee who is not an  
21          opportunity employee, on or after January 1, 2025, and prior to January 1, 2026,  
22          \$2.97 per hour.

23          **SECTION 245.** 104.035 (3) (a) 1p. of the statutes is created to read:

1           104.035 (3) (a) 1p. For wages earned by a tipped employee who is not an  
2 opportunity employee, on or after January 1, 2026, and prior to January 1, 2027,  
3 \$3.29 per hour.

4           **SECTION 246.** 104.035 (3) (a) 2. of the statutes is amended to read:

5           104.035 (3) (a) 2. For wages earned by a tipped employee who is an opportunity  
6 employee prior to the effective date of this subdivision ... [LRB inserts date], \$2.13  
7 per hour.

8           **SECTION 247.** 104.035 (3) (a) 2d. of the statutes is created to read:

9           104.035 (3) (a) 2d. For wages earned by a tipped employee who is an  
10 opportunity employee, on or after the effective date of this subdivision ... [LRB  
11 inserts date], and prior to January 1, 2025, \$2.42 per hour.

12           **SECTION 248.** 104.035 (3) (a) 2h. of the statutes is created to read:

13           104.035 (3) (a) 2h. For wages earned by a tipped employee who is an  
14 opportunity employee, on or after January 1, 2025, and prior to January 1, 2026,  
15 \$2.71 per hour.

16           **SECTION 249.** 104.035 (3) (a) 2p. of the statutes is created to read:

17           104.035 (3) (a) 2p. For wages earned by a tipped employee who is an  
18 opportunity employee, on or after January 1, 2026, and prior to January 1, 2027,  
19 \$3.00 per hour.

20           **SECTION 250.** 104.035 (4) (a) of the statutes is renumbered 104.035 (4) (a)  
21 (intro.) and amended to read:

22           104.035 (4) (a) *Minimum rates.* (intro.) Except as provided in subs. (7) and (8)  
23 to (8m), the minimum wage for an agricultural employee is as follows:

24           1. For wages earned prior to the effective date of this subdivision ... [LRB  
25 inserts date], \$7.25 per hour.

1           **SECTION 251.** 104.035 (4) (a) 2. of the statutes is created to read:

2           104.035 (4) (a) 2. For wages earned on or after the effective date of this  
3 subdivision ... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

4           **SECTION 252.** 104.035 (4) (a) 3. of the statutes is created to read:

5           104.035 (4) (a) 3. For wages earned on or after January 1, 2025, and prior to  
6 January 1, 2026, \$9.25 per hour.

7           **SECTION 253.** 104.035 (4) (a) 4. of the statutes is created to read:

8           104.035 (4) (a) 4. For wages earned on or after January 1, 2026, and prior to  
9 January 1, 2027, \$10.25 per hour.

10          **SECTION 254.** 104.035 (5) of the statutes is renumbered 104.035 (5) (intro.) and  
11 amended to read:

12          104.035 (5) CAMP COUNSELORS. (intro.) The Except as provided in sub. (8m), the  
13 minimum wage for a counselor at a seasonal recreational or educational camp,  
14 including a day camp, is as follows:

15          (a) Prior to the effective date of this paragraph ... [LRB inserts date], \$350 per  
16 week if meals and lodging are not furnished, \$265 per week if only meals are  
17 furnished, and \$210 per week if both meals and lodging are furnished.

18          **SECTION 255.** 104.035 (5) (b) of the statutes is created to read:

19          104.035 (5) (b) On or after the effective date of this paragraph ... [LRB inserts  
20 date], and prior to January 1, 2025, \$398.28 per week if meals and lodging are not  
21 furnished, \$301.55 per week if only meals are furnished, and \$238.97 per week if both  
22 meals and lodging are furnished.

23          **SECTION 256.** 104.035 (5) (c) of the statutes is created to read:

1           104.035 (5) (c) On or after January 1, 2025, and prior to January 1, 2026,  
2           \$446.56 per week if meals and lodging are not furnished, \$338.50 per week if only  
3           meals are furnished, and \$267.94 per week if both meals and lodging are furnished.

4           **SECTION 257.** 104.035 (5) (d) of the statutes is created to read:

5           104.035 (5) (d) On or after January 1, 2026, and prior to January 1, 2027,  
6           \$494.84 per week if meals and lodging are not furnished, \$375.09 per week if only  
7           meals are furnished, and \$296.91 per week if both meals and lodging are furnished.

8           **SECTION 258.** 104.035 (6) of the statutes is renumbered 104.035 (6) (intro.) and  
9           amended to read:

10          104.035 (6) GOLF CADDIES. (intro.) The Except as provided in sub. (8m), the  
11          minimum wage for a golf caddy is as follows:

12          (a) Prior to the effective date of this paragraph .... [LRB inserts date], \$10.50  
13          for caddying 18 holes and \$5.90 for caddying 9 holes.

14          **SECTION 259.** 104.035 (6) (b) of the statutes is created to read:

15          104.035 (6) (b) On or after the effective date of this paragraph .... [LRB inserts  
16          date], and prior to January 1, 2025, \$11.95 for caddying 18 holes and \$6.71 for  
17          caddying 9 holes.

18          **SECTION 260.** 104.035 (6) (c) of the statutes is created to read:

19          104.035 (6) (c) On or after January 1, 2025, and prior to January 1, 2026, \$13.40  
20          for caddying 18 holes and \$7.52 for caddying 9 holes.

21          **SECTION 261.** 104.035 (6) (d) of the statutes is created to read:

22          104.035 (6) (d) On or after January 1, 2026, and prior to January 1, 2027,  
23          \$14.85 for caddying 18 holes and \$8.33 for caddying 9 holes.

24          **SECTION 262.** 104.035 (8m) of the statutes is created to read:

1           104.035 **(8m)** MINIMUM WAGE ADJUSTMENTS. Effective on January 1, 2027, and  
2 effective on each January 1 thereafter, the department shall revise the minimum  
3 wages established under subs. (1) to (6). The department shall determine the revised  
4 minimum wage by calculating the percentage difference between the consumer price  
5 index for the 12-month period ending on the last day of the last month for which that  
6 information is available and the consumer price index for the 12-month period  
7 ending on the last day of the month 12 months prior to that month, adjusting the  
8 minimum wages then in effect by that percentage difference. The department shall  
9 annually have the revised amount published in the Wisconsin Administrative  
10 Register and on the department's website.

11           **SECTION 263.** 106.04 of the statutes is created to read:

12           **106.04 Employment of apprentices on state public works projects. (1)**  
13 **DEFINITION.** In this section, "project" means a project of public works that is subject  
14 to s. 103.49 or 103.50 in which work is performed by employees employed in trades  
15 that are apprenticeable under this subchapter.

16           **(2) WAIVER.** If the department grants an exception or modification to any  
17 requirement in any contract for the performance of work on a project relating to the  
18 employment and training of apprentices, the department shall post that information  
19 on its Internet site, together with a detailed explanation for granting the exception  
20 or modification.

21           **SECTION 264.** 106.112 of the statutes is created to read:

22           **106.112 Local workforce development boards youth service and**  
23 **training grants. (1) YOUTH SERVICE GRANTS.** From the appropriation under s.  
24 20.445 (1) (bj), the department shall award grants to local workforce development  
25 boards established under 29 USC 3122 for youth services and training in school and



1 outside school settings. Grants awarded under this section may be used for any of  
2 the following purposes:

3 (a) Tutoring, paid and unpaid work experiences, preapprenticeship programs,  
4 and internships.

5 (b) On-the-job training, occupational skills training, and education offered  
6 concurrently with workforce preparation and training.

7 (c) Leadership development opportunities, supportive services, mentoring,  
8 follow-up services, and counseling.

9 (d) Financial literacy education and entrepreneurial skills training.

10 (e) Education related to labor market information and employment  
11 information, and postsecondary education and training preparation.

12 **(2) IMPLEMENTATION.** To implement this section, the department shall do all of  
13 the following:

14 (a) Promulgate rules prescribing procedures and criteria for awarding grants  
15 under sub. (1) and the information with respect to those grants that must be  
16 contained in the reports required under sub. (3).

17 (b) Receive and review applications for grants under sub. (1) (a) to (e) and  
18 prescribe the form, nature, and extent of the information that must be contained in  
19 an application for such a grant.

20 (c) Require annual reports from local workforce development boards that  
21 receive grants that describe how the board expended the grant moneys and the  
22 outcomes the board achieved, including the number of youth who participated in the  
23 programs and services funded in part or wholly by the grant moneys.

24 **(3) ANNUAL REPORT.** Annually, by December 31, the department shall submit  
25 a report to the governor and the cochairpersons of the joint committee on finance

1 providing an account of the department's activities and expenditures under this  
2 section during the preceding fiscal year and detailing the amounts expended for each  
3 of the grants provided under sub. (2) during that fiscal year.

4 **SECTION 265.** 106.145 of the statutes is created to read:

5 **106.145 Worker advancement initiative.** (1) **WORKER ADVANCEMENT**  
6 **INITIATIVE.** The department shall, from the appropriation under s. 20.445 (1) (cm),  
7 establish and administer a worker advancement initiative to offer participants  
8 subsidized employment and skills training opportunities with local employers. The  
9 department shall target the subsidized employment and skills training  
10 opportunities to individuals in sectors of the workforce that have not recovered from  
11 the loss of employees due to the COVID-19 pandemic.

12 (2) **WORKER ADVANCEMENT INITIATIVE; HEALTH-CARE WORKFORCE OPPORTUNITY**  
13 **GRANTS.** (a) The department shall, from the appropriation under s. 20.445 (1) (cm),  
14 establish and administer a program to do all of the following:

15 1. Make grants to local workforce development boards established under 29  
16 USC 3122 to assist individuals whose employment status was negatively affected by  
17 the COVID-19 pandemic and whose employment status has not improved. The  
18 department shall prioritize connecting individuals to health-care-related  
19 employment opportunities.

20 2. Make grants to technical colleges and nursing schools to implement  
21 strategies to increase the number of graduates who go on to work in  
22 health-care-related fields.

23 3. Provide solutions to reduce barriers to employment in health-care-related  
24 fields and create ways to attract individuals to employment in health-care-related  
25 fields. Solutions to reduce barriers to employment may include services to fulfill

1 clinical requirements, career navigation services, transportation services, and the  
2 provision of supplies.

3 (b) During the 2023-25 fiscal biennium, of the moneys in the appropriation  
4 under s. 20.445 (1) (cm), the department shall allocate \$2,500,000 in each fiscal year  
5 of the 2023-25 fiscal biennium for establishing and administering the program  
6 under par. (a).

7 **(3) WORKER ADVANCEMENT INITIATIVE; LOCAL CDL TRAINING GRANTS.** The  
8 department shall, from the appropriation under s. 20.445 (1) (cm), make grants to  
9 local workforce development boards established under 29 USC 3122 to provide  
10 sector-based training programs related to increasing the number of individuals  
11 obtaining commercial driver licenses, as defined in s. 340.01 (7m).

12 **(4) WORKER ADVANCEMENT INITIATIVE; ROBUST PROGRAM.** (a) The department  
13 shall, from the appropriation under s. 20.445 (1) (cm), establish and administer a  
14 program for reengaging out-of-work, barriered, and underserved individuals  
15 through system transformation. Through the program, the department shall find  
16 methods to more effectively reach and serve population groups that are underserved  
17 and disconnected from the labor force.

18 (b) During the 2023-25 fiscal biennium, of the moneys in the appropriation  
19 under s. 20.445 (1) (cm), the department shall allocate \$4,500,000 in fiscal year  
20 2023-24 for establishing and administering the program under par. (a).

21 **(5) IMPLEMENTATION.** (a) *Duties.* To implement this section, the department  
22 shall receive and review applications for grants under subs. (2) and (3) and prescribe  
23 the form, nature, and extent of the information that must be contained in an  
24 application for a grant under sub. (2) or (3).

1 (b) *Powers*. In addition to the duties described in par. (a), the department shall  
2 have all other powers necessary and convenient to implement this section, including  
3 the power to audit and inspect the records of grant recipients.

4 **SECTION 266.** 106.27 (title) of the statutes is amended to read:

5 **106.27 (title) Workforce training program programs.**

6 **SECTION 267.** 106.27 (1p) of the statutes is created to read:

7 **106.27 (1p) WISCONSIN GREEN JOBS TRAINING PROGRAM.** (a) In this subsection,  
8 “green jobs” means jobs that produce goods or provide services that benefit the  
9 environment or conserve natural resources.

10 (b) From the appropriation under s. 20.445 (1) (bp), the department shall award  
11 grants to public or private organizations for the development and implementation  
12 of green jobs training programs in this state. As a condition of receiving a grant  
13 under this subsection, the department may require a public or private organization  
14 to provide matching funds at a percentage to be determined by the department.

15 **SECTION 268.** 106.27 (2g) (a) 1. of the statutes is amended to read:

16 106.27 (2g) (a) 1. Promulgate rules prescribing procedures and criteria for  
17 awarding grants under ~~sub~~ subs. (1) and (1p) and the information with respect to  
18 those grants that must be contained in the reports required under subd. 3.

19 **SECTION 269.** 106.27 (2g) (a) 2. of the statutes is amended to read:

20 106.27 (2g) (a) 2. Receive and review applications for grants under subs. (1),  
21 (1g), ~~and (1j) (am),~~ and (1p) and prescribe the form, nature, and extent of the  
22 information that must be contained in an application for a grant under ~~sub~~ subs. (1),  
23 (1g), ~~or (1j) (am),~~ and (1p).

24 **SECTION 270.** 106.28 of the statutes is created to read:

1           **106.28 Clean energy training and reemployment program.** The  
2 department shall, from the appropriation under s. 20.445 (1) (bq), establish and  
3 administer a clean energy training and reemployment program to connect workers  
4 with employers and use other apprenticeship and technical college programs to  
5 deliver training for clean energy jobs.

6           **SECTION 271.** 106.29 of the statutes is created to read:

7           **106.29 Workforce innovation grant program. (1) WORKFORCE INNOVATION**  
8 **GRANTS.** The department shall, from the appropriation under s. 20.445 (1) (bw),  
9 establish and operate a program to provide grants to regional organizations to design  
10 and implement plans to address their region's workforce challenges that arose  
11 during or were exacerbated by the COVID-19 pandemic.

12           **(2) IMPLEMENTATION.** (a) *Duties.* To implement this section, the department  
13 shall receive and review applications for grants under sub. (1) and prescribe the  
14 form, nature, and extent of the information that must be contained in an application  
15 for a grant under sub. (1).

16           (b) *Powers.* In addition to the duties described in par. (a), the department shall  
17 have all other powers necessary and convenient to implement this section, including  
18 the power to audit and inspect the records of grant recipients.

19           **SECTION 272.** 106.54 (11) of the statutes is created to read:

20           **106.54 (11)** The division shall receive complaints under s. 103.135 (1) (a) and  
21 (2) (a) to (c) and shall process the complaints in the same manner that employment  
22 discrimination complaints are processed under s. 111.39.

23           **SECTION 273.** 108.04 (2) (h) of the statutes is amended to read:

24           **108.04 (2) (h)** A claimant shall, when the claimant first files a claim for benefits  
25 under this chapter and during each subsequent week the claimant files for benefits

1 under this chapter, inform the department whether he or she is receiving social  
2 security disability insurance payments, as defined in ~~sub. (12) (f) 2m~~ s. 108.05 (7m)  
3 (b). If the claimant is receiving social security disability insurance payments, the  
4 claimant shall, in the manner prescribed by the department, report to the  
5 department the amount of the social security disability insurance payments.

6 **SECTION 274.** 108.04 (12) (f) 1m. and 2m. of the statutes are renumbered 108.05  
7 (7m) (a) and (b) and amended to read:

8 108.05 (7m) (a) The intent of the legislature in enacting this ~~paragraph~~  
9 subsection is to prevent the payment of duplicative government benefits for the  
10 replacement of lost earnings or income, regardless of an individual's ability to work.

11 (b) In this ~~paragraph subsection~~, "social security disability insurance payment"  
12 means a payment of social security disability insurance benefits under 42 USC ch.  
13 7 subch. II.

14 **SECTION 275.** 108.04 (12) (f) 3. of the statutes is repealed.

15 **SECTION 276.** 108.04 (12) (f) 4. of the statutes is renumbered 108.05 (7m) (e).

16 **SECTION 277.** 108.05 (7m) (title), (c) and (d) of the statutes are created to read:

17 108.05 (7m) (title) SOCIAL SECURITY DISABILITY INSURANCE PAYMENTS.

18 (c) If a monthly social security disability insurance payment is issued to a  
19 claimant, the department shall reduce benefits otherwise payable to the claimant for  
20 a given week in accordance with par. (d). This subsection does not apply to a lump  
21 sum social security disability insurance payment in the nature of a retroactive  
22 payment or back pay.

23 (d) The department shall allocate a monthly social security disability insurance  
24 payment by allocating to each week the fraction of the payment attributable to that  
25 week.

1           **SECTION 278.** 108.05 (9) of the statutes is amended to read:

2           108.05 **(9)** ROUNDING OF BENEFIT AMOUNTS. Notwithstanding sub. (1), benefits  
3 payable for a week of unemployment as a result of applying sub. (1m), (3) ~~or~~, (7), or  
4 (7m) or s. 108.04 (11) or (12), 108.06 (1), 108.13 (4) or (5) or 108.135 shall be rounded  
5 down to the next lowest dollar.

6           **SECTION 279.** 108.05 (10) (intro.) of the statutes is amended to read:

7           108.05 **(10)** DEDUCTIONS FROM BENEFIT PAYMENTS. (intro.) After calculating the  
8 benefit payment due to be paid for a week under subs. (1) to ~~(7)~~ (7m), the department  
9 shall make deductions from that payment to the extent that the payment is sufficient  
10 to make the following payments in the following order:

11           **SECTION 280.** 108.221 (1) (a) of the statutes is renumbered 108.221 (1) (a)  
12 (intro.) and amended to read:

13           108.221 **(1)** (a) (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged~~  
14 ~~in the painting or drywall finishing of buildings or other structures~~ who knowingly  
15 and intentionally provides false information to the department for the purpose of  
16 misclassifying or attempting to misclassify an individual who is an employee of the  
17 employer as a nonemployee shall, for each incident, be assessed a penalty by the  
18 department as follows:

19           1. For each act occurring before the date of the first determination of a violation  
20 of this subsection, the employer shall be assessed a penalty in the amount of \$500  
21 for each employee who is misclassified, but not to exceed \$7,500 per incident.

22           **SECTION 281.** 108.221 (1) (a) 2. of the statutes is created to read:

1           108.221 (1) (a) 2. For each act occurring after the date of the first determination  
2 of a violation of this subsection, the employer shall be assessed a penalty in the  
3 amount of \$1,000 for each employee who is misclassified.

4           **SECTION 282.** 108.221 (2) of the statutes is renumbered 108.221 (2) (intro.) and  
5 amended to read:

6           108.221 (2) (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged in the~~  
7 ~~painting or drywall finishing of buildings or other structures~~ who, through coercion,  
8 requires an individual to adopt the status of a nonemployee shall be assessed a  
9 penalty by the department as follows:

10           (a) For each act occurring before the date of the first determination of a  
11 violation of this subsection, the employer shall be assessed a penalty in the amount  
12 of \$1,000 for each individual so coerced, ~~but not to exceed \$10,000 per calendar year.~~

13           **SECTION 283.** 108.221 (2) (b) of the statutes is created to read:

14           108.221 (2) (b) For each act occurring after the date of the first determination  
15 of a violation of this subsection, the employer shall be assessed a penalty in the  
16 amount of \$2,000 for each individual so coerced.

17           **SECTION 284.** 108.24 (2m) of the statutes is amended to read:

18           108.24 (2m) Any employer ~~described in s. 108.18 (2) (c) or engaged in the~~  
19 ~~painting or drywall finishing of buildings or other structures~~ who, after having  
20 previously been assessed an administrative penalty by the department under s.  
21 108.221 (1), knowingly and intentionally provides false information to the  
22 department for the purpose of misclassifying or attempting to misclassify an  
23 individual who is an employee of the employer as a nonemployee shall be fined \$1,000  
24 for each employee who is misclassified, subject to a maximum fine of \$25,000 for each



1 violation. The department may, regardless of whether an employer has been subject  
2 to any administrative assessment under s. 108.221 or any other penalty or  
3 assessment under this chapter, refer violations of this subsection for prosecution by  
4 the department of justice or the district attorney for the county in which the violation  
5 occurred.

6 **SECTION 285.** 109.09 (1) of the statutes is amended to read:

7 109.09 (1) The department shall investigate and attempt equitably to adjust  
8 controversies between employers and employees as to regarding alleged wage  
9 claims. The department may receive and investigate any wage claim that is filed  
10 with the department, or received by the department under s. 109.10 (4), no later than  
11 2 years after the date the wages are due. The department may, after receiving a wage  
12 claim, investigate any wages due from the employer against whom the claim is filed  
13 to any employee during the period commencing 2 years before the date the claim is  
14 filed. The department shall enforce this chapter and s. ss. 66.0903, 2013 stats., s.  
15 103.49, 2013 stats., s. 229.8275, 2013 stats., and s. 16.856, 2015 stats., and ss. 103.02,  
16 103.49, 103.82, and 104.12, and 229.8275. In pursuance of this duty, the department  
17 may sue the employer on behalf of the employee to collect any wage claim or wage  
18 deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except  
19 for actions under s. 109.10, the department may refer such an action to the district  
20 attorney of the county in which the violation occurs for prosecution and collection and  
21 the district attorney shall commence an action in the circuit court having appropriate  
22 jurisdiction. Any number of wage claims or wage deficiencies against the same  
23 employer may be joined in a single proceeding, but the court may order separate  
24 trials or hearings. In actions that are referred to a district attorney under this  
25 subsection, any taxable costs recovered by the district attorney shall be paid into the

1 general fund of the county in which the violation occurs and used by that county to  
2 meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office  
3 of the district attorney who prosecuted the action.

4 **SECTION 286.** 109.09 (3) of the statutes is repealed.

5 **SECTION 287.** 111.01 of the statutes is created to read:

6 **111.01 Declaration of policy.** The public policy of the state as to employment  
7 relations and collective bargaining, in the furtherance of which this subchapter is  
8 enacted, is declared to be as follows:

9 (1) It recognizes that there are 3 major interests involved, namely: the public,  
10 the employee, and the employer. These 3 interests are to a considerable extent  
11 interrelated. It is the policy of the state to protect and promote each of these interests  
12 with due regard to the situation and to the rights of the others.

13 (2) Industrial peace, regular and adequate income for the employee, and  
14 uninterrupted production of goods and services are promotive of all of these  
15 interests. They are largely dependent upon the maintenance of fair, friendly, and  
16 mutually satisfactory employment relations and the availability of suitable  
17 machinery for the peaceful adjustment of whatever controversies may arise. It is  
18 recognized that certain employers, including farmers, farmer cooperatives, and  
19 unincorporated farmer cooperative associations, in addition to their general  
20 employer problems, face special problems arising from perishable commodities and  
21 seasonal production that require adequate consideration. It is also recognized that  
22 whatever may be the rights of disputants with respect to each other in any  
23 controversy regarding employment relations, they should not be permitted, in the  
24 conduct of their controversy, to intrude directly into the primary rights of 3rd parties

1 to earn a livelihood, transact business, and engage in the ordinary affairs of life by  
2 any lawful means and free from molestation, interference, restraint, or coercion.

3 (3) Negotiations of terms and conditions of work should result from voluntary  
4 agreement between employer and employee. For the purpose of such negotiation an  
5 employee has the right, if the employee desires, to associate with others in organizing  
6 and bargaining collectively through representatives of the employee's own choosing,  
7 without intimidation or coercion from any source.

8 (4) It is the policy of the state, in order to preserve and promote the interests  
9 of the public, the employee, and the employer alike, to establish standards of fair  
10 conduct in employment relations and to provide a convenient, expeditious, and  
11 impartial tribunal by which these interests may have their respective rights and  
12 obligations adjudicated. While limiting individual and group rights of aggression  
13 and defense, the state substitutes processes of justice for the more primitive methods  
14 of trial by combat.

15 **SECTION 288.** 111.04 (1) and (2) of the statutes are consolidated, renumbered  
16 111.04 and amended to read:

17 **111.04 Rights of employees.** Employees shall have the right of  
18 self-organization and the right to form, join or assist labor organizations, to bargain  
19 collectively through representatives of their own choosing, and to engage in lawful,  
20 concerted activities for the purpose of collective bargaining or other mutual aid or  
21 protection. ~~(2) Employees shall also have the right to refrain from self-organization;  
22 forming, joining, or assisting labor organizations; bargaining collectively through  
23 representatives; or engaging in activities for the purpose of collective bargaining or  
24 other mutual aid or protection such activities.~~

25 **SECTION 289.** 111.04 (3) of the statutes is repealed.

1           **SECTION 290.** 111.06 (1) (c) of the statutes is amended to read:

2           111.06 (1) (c) To encourage or discourage membership in any labor  
3 organization, employee agency, committee, association, or representation plan by  
4 discrimination in regard to hiring, tenure, or other terms or conditions of  
5 employment except in a collective bargaining unit where an all-union agreement is  
6 in effect. An employer may enter into an all-union agreement with the voluntarily  
7 recognized representative of the employees in a collective bargaining unit, where at  
8 least a majority of such employees voting have voted affirmatively, by secret ballot,  
9 in favor of the all-union agreement in a referendum conducted by the commission,  
10 except that where the bargaining representative has been certified by either the  
11 commission or the national labor relations board as the result of a representation  
12 election, no referendum is required to authorize the entry into an all-union  
13 agreement. An authorization of an all-union agreement continues, subject to the  
14 right of either party to the all-union agreement to petition the commission to conduct  
15 a new referendum on the subject. Upon receipt of the petition, if the commission  
16 determines there is reasonable ground to believe that the employees concerned have  
17 changed their attitude toward the all-union agreement, the commission shall  
18 conduct a referendum. If the continuance of the all-union agreement is supported  
19 on a referendum by a vote at least equal to that provided in this paragraph for its  
20 initial authorization, it may continue, subject to the right to petition for a further  
21 vote by the procedure under this paragraph. If the continuance of the all-union  
22 agreement is not supported on a referendum, it terminates at the expiration of the  
23 contract of which it is then a part or at the end of one year from the date of the  
24 announcement by the commission of the result of the referendum, whichever is  
25 earlier. The commission shall declare any all-union agreement terminated

1 whenever it finds that the labor organization involved has unreasonably refused to  
2 receive as a member any employee of such employer. An interested person may, as  
3 provided in s. 111.07, request the commission to perform this duty.

4 **SECTION 291.** 111.06 (1) (e) of the statutes is amended to read:

5 111.06 (1) (e) To bargain collectively with the representatives of less than a  
6 majority of the employer's employees in a collective bargaining unit, or to enter into  
7 an all-union agreement except in the manner provided in par. (c).

8 **SECTION 292.** 111.06 (1) (i) of the statutes is amended to read:

9 111.06 (1) (i) To deduct labor organization dues or assessments from an  
10 employee's earnings, unless the employer has been presented with an individual  
11 order therefor, signed by the employee personally, and terminable at the end of any  
12 year of its life by the employee giving to the employer at least 30 days' written notice  
13 of the termination. ~~This paragraph applies to the extent permitted under federal law~~  
14 unless there is an all-union agreement in effect. The employer shall give notice to  
15 the labor organization of receipt of a notice of termination.

16 **SECTION 293.** 111.31 (1) of the statutes is amended to read:

17 111.31 (1) The legislature finds that the practice of unfair discrimination in  
18 employment against properly qualified individuals by reason of their age, race,  
19 creed, color, disability, marital status, sex, national origin, ancestry, sexual  
20 orientation, gender expression, gender identity, arrest record, conviction record,  
21 military service, use or nonuse of lawful products off the employer's premises during  
22 nonworking hours, or declining to attend a meeting or to participate in any  
23 communication about religious matters or political matters, substantially and  
24 adversely affects the general welfare of the state. Employers, labor organizations,  
25 employment agencies, and licensing agencies that deny employment opportunities

1 and discriminate in employment against properly qualified individuals solely  
2 because of their age, race, creed, color, disability, marital status, sex, national origin,  
3 ancestry, sexual orientation, gender expression, gender identity, arrest record,  
4 conviction record, military service, use or nonuse of lawful products off the  
5 employer's premises during nonworking hours, or declining to attend a meeting or  
6 to participate in any communication about religious matters or political matters,  
7 deprive those individuals of the earnings that are necessary to maintain a just and  
8 decent standard of living.

9 **SECTION 294.** 111.31 (2) of the statutes is amended to read:

10 111.31 (2) It is the intent of the legislature to protect by law the rights of all  
11 individuals to obtain gainful employment and to enjoy privileges free from  
12 employment discrimination because of age, race, creed, color, disability, marital  
13 status, sex, national origin, ancestry, sexual orientation, gender expression, gender  
14 identity, arrest record, conviction record, military service, use or nonuse of lawful  
15 products off the employer's premises during nonworking hours, or declining to  
16 attend a meeting or to participate in any communication about religious matters or  
17 political matters, and to encourage the full, nondiscriminatory utilization of the  
18 productive resources of the state to the benefit of the state, the family, and all the  
19 people of the state. It is the intent of the legislature in promulgating this subchapter  
20 to encourage employers to evaluate an employee or applicant for employment based  
21 upon the individual qualifications of the employee or applicant rather than upon a  
22 particular class to which the individual may belong.

23 **SECTION 295.** 111.31 (3) of the statutes is amended to read:

24 111.31 (3) In the interpretation and application of this subchapter, and  
25 otherwise, it is declared to be the public policy of the state to encourage and foster

1 to the fullest extent practicable the employment of all properly qualified individuals  
2 regardless of age, race, creed, color, disability, marital status, sex, national origin,  
3 ancestry, sexual orientation, gender expression, gender identity, arrest record,  
4 conviction record, military service, use or nonuse of lawful products off the  
5 employer's premises during nonworking hours, or declining to attend a meeting or  
6 to participate in any communication about religious matters or political matters.  
7 Nothing in this subsection requires an affirmative action program to correct an  
8 imbalance in the work force. This subchapter shall be liberally construed for the  
9 accomplishment of this purpose.

10 **SECTION 296.** 111.32 (7j) of the statutes is created to read:

11 111.32 (7j) "Gender expression" means an individual's actual or perceived  
12 gender-related appearance, behavior, or expression, regardless of whether these  
13 traits are stereotypically associated with the individual's assigned sex at birth.

14 **SECTION 297.** 111.32 (7k) of the statutes is created to read:

15 111.32 (7k) "Gender identity" means an individual's internal understanding  
16 of the individual's gender, or the individual's perceived gender identity.

17 **SECTION 298.** 111.321 of the statutes is amended to read:

18 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to  
19 111.365, no employer, labor organization, employment agency, licensing agency, or  
20 other person may engage in any act of employment discrimination as specified in s.  
21 111.322 against any individual on the basis of age, race, creed, color, disability,  
22 marital status, sex, national origin, ancestry, sexual orientation, gender expression,  
23 gender identity, arrest record, conviction record, military service, use or nonuse of  
24 lawful products off the employer's premises during nonworking hours, or declining

1 to attend a meeting or to participate in any communication about religious matters  
2 or political matters.

3 **SECTION 188r.** 111.322 (2m) (a) of the statutes is amended to read:

4 111.322 **(2m)** (a) The individual files a complaint or attempts to enforce any  
5 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.28, 103.32, 103.34,  
6 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to  
7 101.599 or 103.64 to 103.82.

8 **SECTION 188s.** 111.322 (2m) (a) of the statutes, as affected by 2023 Wisconsin  
9 Act .... (this act), is amended to read:

10 111.322 **(2m)** (a) The individual files a complaint or attempts to enforce any  
11 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.135, 103.28, 103.32,  
12 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss.  
13 101.58 to 101.599 or 103.64 to 103.82.

14 **SECTION 188t.** 111.322 (2m) (b) of the statutes is amended to read:

15 111.322 **(2m)** (b) The individual testifies or assists in any action or proceeding  
16 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,  
17 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or  
18 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

19 **SECTION 188tr.** 111.322 (2m) (b) of the statutes, as affected by 2023 Wisconsin  
20 Act .... (this act), is amended to read:

21 111.322 **(2m)** (b) The individual testifies or assists in any action or proceeding  
22 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,  
23 103.135, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075,  
24 146.997, or 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

25 **SECTION 299.** 111.322 (2m) (c) of the statutes is created to read:



1           111.322 **(2m)** (c) The individual files a complaint or attempts to enforce a right  
2           under s. 66.0903, 103.49, or 229.8275 or testifies or assists in any action or  
3           proceeding under s. 66.0903, 103.49, or 229.8275.

4           **SECTION 300.** 111.335 (3) (ag) of the statutes is created to read:

5           111.335 **(3)** (ag) 1. Employment discrimination because of conviction record  
6           includes a prospective employer requesting an applicant for employment, on an  
7           application form or otherwise, to supply information regarding the conviction record  
8           of the applicant, or otherwise inquiring into or considering the conviction record of  
9           an applicant for employment, before the applicant has been selected for an interview  
10          by the prospective employer.

11          2. Subdivision 1. does not prohibit a prospective employer from notifying  
12          applicants for employment that, subject to this section and ss. 111.321 and 111.322,  
13          an individual with a particular conviction record may be disqualified by law or under  
14          the employer's policies from employment in particular positions.

15          **SECTION 301.** 111.36 (title) of the statutes is amended to read:

16          **111.36** (title) **Sex, sexual orientation, gender expression, gender**  
17          **identity; exceptions and special cases.**

18          **SECTION 302.** 111.36 (1) (br) of the statutes is amended to read:

19          111.36 **(1)** (br) Engaging in harassment that consists of unwelcome verbal or  
20          physical conduct directed at another individual because of that individual's gender,  
21          gender expression, or gender identity, other than the conduct described in par. (b),  
22          and that has the purpose or effect of creating an intimidating, hostile, or offensive  
23          work environment or has the purpose or effect of substantially interfering with that  
24          individual's work performance. Under this paragraph, substantial interference with  
25          an employee's work performance or creation of an intimidating, hostile, or offensive

1 work environment is established when the conduct is such that a reasonable person  
2 under the same circumstances as the employee would consider the conduct  
3 sufficiently severe or pervasive to interfere substantially with the person's work  
4 performance or to create an intimidating, hostile, or offensive work environment.

5 **SECTION 303.** 111.36 (1) (c) of the statutes is amended to read:

6 111.36 (1) (c) Discriminating against any ~~woman~~ individual on the basis of  
7 pregnancy, childbirth, ~~maternity~~ parental leave, or related medical conditions by  
8 engaging in any of the actions prohibited under s. 111.322, including, but not limited  
9 to, actions concerning fringe benefit programs covering illnesses and disability.

10 **SECTION 304.** 111.36 (1) (d) 1. of the statutes is amended to read:

11 111.36 (1) (d) 1. ~~For any employer, labor organization, licensing agency or~~  
12 ~~employment agency or other person to refuse~~ Refusing to hire, employ, admit or  
13 license, ~~or to bar or terminate~~ any individual; barring or terminating from  
14 employment, membership, or licensure any individual; ~~or to discriminate~~  
15 discriminating against an any individual in promotion, in compensation, or in the  
16 terms, conditions, or privileges of employment because of the individual's sexual  
17 orientation; ~~or, gender expression, or gender identity.~~

18 **SECTION 305.** 111.36 (1) (d) 2. of the statutes is amended to read:

19 111.36 (1) (d) 2. ~~For any employer, labor organization, licensing agency or~~  
20 ~~employment agency or other person to discharge~~ Discharging or otherwise  
21 discriminate discriminating against any person because ~~he or she~~ the person has  
22 opposed any discriminatory practices under this paragraph or because ~~he or she~~ the  
23 person has made a complaint, testified or assisted in any proceeding under this  
24 paragraph.

25 **SECTION 306.** 111.36 (4) of the statutes is created to read:

1           111.36 (4) Notwithstanding s. 111.322, it is not employment discrimination for  
2           an employer to require an employee to adhere to reasonable workplace appearance,  
3           grooming, and dress standards not precluded by other provisions of state or federal  
4           law, provided that an employer shall allow an employee to appear or dress  
5           consistently with the employee's gender identity or gender expression.

6           **SECTION 307.** 111.39 (4) (d) of the statutes is amended to read:

7           111.39 (4) (d) The department shall serve a certified copy of the findings and  
8           order on the respondent, the order to have the same force as other orders of the  
9           department and be enforced as provided in s. 103.005. The department shall also  
10          serve a certified copy of the findings and order on the complainant, together with a  
11          notice advising the complainant about the right to seek, and the time for seeking,  
12          review by the commission under sub. (5); about the right to bring, and the time for  
13          bringing, an action for judicial review under s. 111.395; and about the right to bring,  
14          and the time for bringing, an action under s. 111.397 (1) (a). Any person aggrieved  
15          by noncompliance with the order may have the order enforced specifically by suit in  
16          equity. If the examiner finds that the respondent has not engaged in discrimination,  
17          unfair honesty testing, or unfair genetic testing as alleged in the complaint, the  
18          department shall serve a certified copy of the examiner's findings on the  
19          complainant, together with an order dismissing the complaint.

20          **SECTION 308.** 111.39 (5) (b) of the statutes is amended to read:

21          111.39 (5) (b) ~~If no petition is filed~~ the respondent or complainant does not file  
22          a petition under par. (a) within 21 days from the date that a copy of the findings and  
23          order of the examiner is mailed to the last-known address of the respondent served  
24          on that party, the findings and order shall be considered final for purposes of  
25          enforcement under sub. (4) (d). If a timely petition is filed, the commission, on review,

1 may either affirm, reverse, or modify the findings or order in whole or in part, or set  
2 aside the findings and order and remand to the department for further proceedings.  
3 Such actions shall be based on a review of the evidence submitted. If the commission  
4 is satisfied that a respondent or complainant has been prejudiced because of  
5 exceptional delay in the receipt of a copy of any findings and order ~~it~~, the commission  
6 may extend the time another 21 days for filing the petition with the department.

7 **SECTION 309.** 111.39 (5) (d) of the statutes is created to read:

8 111.39 (5) (d) The commission shall serve a certified copy of the commission's  
9 decision on the respondent. The commission shall also serve a certified copy of the  
10 commission's decision on the complainant, together with a notice advising the  
11 complainant about the right to bring, and the time for bringing, an action for judicial  
12 review under s. 111.395 and about the right to bring, and the time for bringing, an  
13 action under s. 111.397 (1) (a).

14 **SECTION 310.** 111.397 of the statutes is created to read:

15 **111.397 Civil action.** (1) (a) Except as provided in this paragraph, the  
16 department or an individual alleged or found to have been discriminated against or  
17 subjected to unfair honesty testing or unfair genetic testing may bring an action in  
18 circuit court requesting the relief described in sub. (2) (a) against an employer, labor  
19 organization, or employment agency that is alleged or found to have engaged in that  
20 discrimination, unfair honesty testing, or unfair genetic testing. The department or  
21 an individual alleged or found to have been discriminated against or subjected to  
22 unfair honesty testing or unfair genetic testing may not bring an action under this  
23 paragraph against a local governmental unit, as defined in s. 19.42 (7u), or against  
24 an employer, labor organization, or employment agency that employs fewer than 15

1 individuals for each working day in each of 20 or more calendar weeks in the current  
2 or preceding year.

3 (b) If a petition for judicial review of the findings and order of the commission  
4 concerning the same violation as the violation giving rise to the action under par. (a)  
5 is filed, the circuit court shall consolidate the proceeding for judicial review and the  
6 action under par. (a).

7 (c) An individual alleged or found to have been discriminated against or  
8 subjected to unfair honesty testing or unfair genetic testing is not required to file a  
9 complaint under s. 111.39 or seek review under s. 111.395 in order for the department  
10 or the individual to bring an action under par. (a).

11 (d) An action under par. (a) shall be commenced within 300 days after the  
12 alleged discrimination, unfair honesty testing, or unfair genetic testing occurred.

13 **(2)** (a) Subject to pars. (b) and (c), in an action under sub. (1) (a), if the circuit  
14 court finds that discrimination, unfair honesty testing, or unfair genetic testing has  
15 occurred, or if such a finding has been made by an examiner or the commission and  
16 not been further appealed, the circuit court may order any relief that an examiner  
17 would be empowered to order under s. 111.39 (4) (c) after a hearing on a complaint  
18 filed under s. 111.39. In addition, the circuit court shall order the defendant to pay  
19 to the individual discriminated against or subjected to unfair honesty testing or  
20 unfair genetic testing any other compensatory damages, and punitive damages  
21 under s. 895.043 that the circuit court or jury finds appropriate, plus reasonable costs  
22 and attorney fees incurred in the action. If any relief was ordered under s. 111.39 or  
23 111.395, the circuit court shall specify whether the relief ordered under this  
24 paragraph is in addition to or replaces the relief ordered under s. 111.39 or 111.395.  
25 The sum of the amount of compensatory damages for future economic losses and for

1 pain and suffering, emotional distress, mental anguish, loss of enjoyment of life, and  
2 other noneconomic losses and the amount of punitive damages that a circuit court  
3 may order may not exceed the following:

4 1. In the case of a defendant that employs 100 or fewer employees for each  
5 working day in each of 20 or more calendar weeks in the current or preceding year,  
6 \$50,000.

7 2. In the case of a defendant that employs more than 100 but fewer than 201  
8 employees for each working day in each of 20 or more calendar weeks in the current  
9 or preceding year, \$100,000.

10 3. In the case of a defendant that employs more than 200 but fewer than 501  
11 employees for each working day in each of 20 or more calendar weeks in the current  
12 or preceding year, \$200,000.

13 4. In the case of a defendant that employs more than 500 employees for each  
14 working day in each of 20 or more calendar weeks in the current or preceding year,  
15 \$300,000.

16 (b) If the circuit court orders a payment under par. (a) because of a violation of  
17 s. 111.321, 111.37, or 111.372 by an individual employed by an employer, the  
18 employer of that individual is liable for the payment.

19 (c) 1. In this paragraph, “consumer price index” means the average of the  
20 consumer price index for all urban consumers, U.S. city average, as determined by  
21 the bureau of labor statistics of the federal department of labor.

22 2. Except as provided in this subdivision, beginning on July 1, 2024, and on  
23 each July 1 after that, the department shall adjust the amounts specified in par. (a)  
24 1., 2., 3., and 4. by calculating the percentage difference between the consumer price  
25 index for the 12-month period ending on December 31 of the preceding year and the

1 consumer price index for the 12-month period ending on December 31 of the year  
2 before the preceding year and adjusting those amounts by that percentage  
3 difference. The department shall publish the adjusted amounts calculated under  
4 this subdivision in the Wisconsin Administrative Register, and the adjusted amounts  
5 shall apply to actions commenced under sub. (1) (a) beginning on July 1 of the year  
6 of publication. This subdivision does not apply if the consumer price index for the  
7 12-month period ending on December 31 of the preceding year did not increase over  
8 the consumer price index for the 12-month period ending on December 31 of the year  
9 before the preceding year.

10 **SECTION 311.** 111.81 (12) (b) of the statutes is amended to read:

11 111.81 (12) (b) Which discriminates with regard to the terms or conditions of  
12 membership because of race, color, creed, sex, age, sexual orientation, gender  
13 expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k),  
14 or national origin.

15 **SECTION 312.** 118.20 (1) of the statutes is amended to read:

16 118.20 (1) No discrimination because of sex, except where sex is a bona fide  
17 occupational qualification as defined in s. 111.36 (2), sexual orientation, as defined  
18 in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as  
19 defined in s. 111.32 (7k), race, ~~nationality~~ national origin, or political or religious  
20 affiliation may be practiced in the employment of teachers or administrative  
21 personnel in public schools or in their assignment or reassignment. No questions of  
22 any nature or form relative to sex, except where sex is a bona fide occupational  
23 qualification as defined in s. 111.36 (2), sexual orientation, as defined in s. 111.32  
24 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as defined in  
25 s. 111.32 (7k), race, ~~nationality~~ national origin, or political or religious affiliation may

1 be asked applicants for teaching or administrative positions in the public schools  
2 either by public school officials or employees or by teachers agencies or placement  
3 bureaus.

4 **SECTION 313.** 165.68 (1) (a) 3. of the statutes is amended to read:

5 165.68 (1) (a) 3. Sexual abuse, as defined in s. 103.10 ~~(1m)~~ (b) 6 (1) (gd).

6 **SECTION 314.** 182.01 (8) of the statutes is created to read:

7 182.01 (8) INFORMATION TO BE PROVIDED WITH BUSINESS FORMATION FILINGS. The  
8 department shall provide informational materials and resources on worker  
9 misclassification to each person who files with the department any of the following:

10 (a) Articles of incorporation under s. 180.0202 or 181.0202.

11 (b) Articles of organization under s. 183.0201.

12 (c) A statement of qualification under s. 178.0901.

13 (d) A certificate of limited partnership under s. 179.0201.

14 **SECTION 315.** 227.01 (13) (Lw) of the statutes is created to read:

15 227.01 (13) (Lw) Adjusts the minimum wage under s. 104.035 (8m).

16 **SECTION 316.** 227.01 (13) (t) of the statutes is created to read:

17 227.01 (13) (t) Ascertains and determines prevailing wage rates under ss.  
18 66.0903, 103.49, 103.50, and 229.8275, except that any action or inaction which  
19 ascertains and determines prevailing wage rates under ss. 66.0903, 103.49, 103.50,  
20 and 229.8275 is subject to judicial review under s. 227.40.

21 **SECTION 317.** 229.682 (2) of the statutes is created to read:

22 229.682 (2) PREVAILING WAGE. The construction of a baseball park facility that  
23 is financed in whole or in part by a district is subject to s. 66.0903.

24 **SECTION 318.** 229.8275 of the statutes is created to read:



1           **229.8275 Prevailing wage.** A district may not enter into a contract under s.  
2           229.827 with a professional football team, as described in s. 229.823, or a related  
3           party that requires the team or related party to acquire and construct or renovate  
4           football stadium facilities that are part of any facilities that are leased by the district  
5           to the team or to a related party unless the professional football team or related party  
6           agrees to all of the following:

7           (1) Not to allow any employee working on the football stadium facilities who  
8           would be entitled to receive the prevailing wage rate under s. 66.0903 and who would  
9           not be required or allowed to work more than the prevailing hours of labor, if the  
10          football stadium facilities were a project of public works subject to s. 66.0903, to be  
11          paid less than the prevailing wage rate or to be required or allowed to work more than  
12          the prevailing hours of labor, except as allowed under s. 66.0903 (4) (a).

13          (2) To require any contractor, subcontractor, or agent of a contractor or  
14          subcontractor performing work on the football stadium facilities to keep and allow  
15          inspection of records in the same manner as a contractor, subcontractor, or agent of  
16          a contractor or subcontractor performing work on a project of public works that is  
17          subject to s. 66.0903 is required to keep and allow inspection of records under s.  
18          66.0903 (10).

19          (3) To comply with s. 66.0903 in the same manner as a local governmental unit  
20          contracting for the erection, construction, remodeling, repairing, or demolition of a  
21          project of public works is required to comply with s. 66.0903 and to require any  
22          contractor, subcontractor, or agent of a contractor or subcontractor performing work  
23          on the football stadium facilities to comply with s. 66.0903 in the same manner as  
24          a contractor, subcontractor, or agent of a contractor or subcontractor performing

1 work on a project of public works that is subject to s. 66.0903 is required to comply  
2 with s. 66.0903.

3 **SECTION 319.** 230.01 (2) (b) of the statutes is amended to read:

4 230.01 (2) (b) It is the policy of this state to provide for equal employment  
5 opportunity by ensuring that all personnel actions including hire, tenure or term,  
6 and condition or privilege of employment be based on the ability to perform the duties  
7 and responsibilities assigned to the particular position without regard to age, race,  
8 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,  
9 gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32  
10 (7k), or political affiliation.

11 **SECTION 320.** 230.18 of the statutes is amended to read:

12 **230.18 Discrimination prohibited.** No question in any form of application  
13 or in any evaluation used in the hiring process may be so framed as to elicit  
14 information concerning the partisan political or religious opinions or affiliations of  
15 any applicant nor may any inquiry be made concerning such those opinions or  
16 affiliations and all disclosures ~~thereof~~ of those opinions or affiliations shall be  
17 discountenanced except that the director may evaluate the competence and  
18 impartiality of applicants for positions such as clinical chaplain in a state  
19 institutional program. No discriminations may be exercised in the recruitment,  
20 application, or hiring process against or in favor of any person because of the person's  
21 political or religious opinions or affiliations or because of age, sex, disability, race,  
22 color, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender  
23 identity, as defined in s. 111.32 (7k), national origin, or ancestry except as otherwise  
24 provided.

25 **SECTION 321.** 234.29 of the statutes is amended to read:

1           **234.29 Equality of occupancy and employment.** The authority shall  
2 require that occupancy of housing projects assisted under this chapter be open to all  
3 regardless of sex, race, religion, sexual orientation, status as a victim of domestic  
4 abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or creed, and that  
5 contractors and subcontractors engaged in the construction of economic  
6 development or housing projects, shall provide an equal opportunity for  
7 employment, without discrimination as to sex, race, religion, sexual orientation,  
8 gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32  
9 (7k), or creed.

10           **SECTION 322.** 321.37 of the statutes is amended to read:

11           **321.37 No discrimination.** No person, otherwise qualified, may be denied  
12 membership in the national guard or state defense force because of sex, color, race,  
13 creed, or sexual orientation, gender expression, as defined in s. 111.32 (7j), or gender  
14 identity, as defined in s. 111.32 (7k), and no member of the national guard or state  
15 defense force may be segregated within the national guard or state defense force on  
16 the basis of sex, color, race, creed, or sexual orientation, gender expression, as defined  
17 in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k). Nothing in this section  
18 prohibits separate facilities for persons of different sexes with regard to dormitory  
19 accommodations, toilets, showers, saunas, and dressing rooms, except that no person  
20 may be denied equal access to facilities most consistent with the person's gender  
21 identity.

22           **SECTION 212r.** 814.04 (intro.) of the statutes is amended to read:

23           **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.195 (5m)  
24 (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 111.397 (2) (a), 115.80 (9), 767.553 (4) (d),  
25 769.313, 802.05, 814.245, 895.035 (4), 895.044, 895.443 (3), 895.444 (2), 895.445 (3),

1 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b), and 995.10 (3),  
2 when allowed costs shall be as follows:

3 **SECTION 212s.** 814.04 (intro.) of the statutes, as affected by 2023 Wisconsin Act  
4 .... (this act), is amended to read:

5 **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.195 (5m)  
6 (b), 100.30 (5m), 103.135 (3), 106.50 (6) (i) and (6m) (a), 111.397 (2) (a), 115.80 (9),  
7 767.553 (4) (d), 769.313, 802.05, 814.245, 895.035 (4), 895.044, 895.443 (3), 895.444  
8 (2), 895.445 (3), 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b),  
9 and 995.10 (3), when allowed costs shall be as follows:

10 **SECTION 323.** 893.995 of the statutes is created to read:

11 **893.995 Employment discrimination; civil remedies.** Any civil action  
12 arising under s. 111.397 is subject to the limitations of s. 111.397 (1) (b).

13 **SECTION 324.** 943.395 (1) (e) of the statutes is created to read:

14 943.395 (1) (e) Presents an application for worker's compensation insurance  
15 coverage that is false or fraudulent or that falsely or fraudulently misclassifies  
16 employees to lower worker's compensation insurance premiums.

17 **SECTION 325.** 946.15 of the statutes is created to read:

18 **946.15 Public construction contracts at less than full rate. (1)** Any  
19 employer, or any agent or employee of an employer, who induces any individual who  
20 seeks to be or is employed pursuant to a public contract, as defined in s. 66.0901 (1)  
21 (c), or who seeks to be or is employed on a project on which a prevailing wage rate  
22 determination has been issued by the department of workforce development under  
23 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) to give up, waive, or return any  
24 part of the compensation to which that individual is entitled under his or her contract  
25 of employment or under the prevailing wage rate determination issued by the

1 department, or who reduces the hourly basic rate of pay normally paid to an  
2 employee for work on a project on which a prevailing wage rate determination has  
3 not been issued under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) during a  
4 week in which the employee works both on a project on which a prevailing wage rate  
5 determination has been issued and on a project on which a prevailing wage rate  
6 determination has not been issued, is guilty of a Class I felony.

7 (2) Any individual employed pursuant to a public contract, as defined in s.  
8 66.0901 (1) (c), or employed on a project on which a prevailing wage rate  
9 determination has been issued by the department of workforce development under  
10 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who gives up, waives, or returns  
11 to the employer or agent of the employer any part of the compensation to which the  
12 employee is entitled under his or her contract of employment or under the prevailing  
13 wage determination issued by the department, or who gives up any part of the  
14 compensation to which he or she is normally entitled for work on a project on which  
15 a prevailing wage rate determination has not been issued under s. 66.0903 (3),  
16 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the individual works  
17 part-time on a project on which a prevailing wage rate determination has been  
18 issued and part-time on a project on which a prevailing wage rate determination has  
19 not been issued, is guilty of a Class C misdemeanor.

20 (3) Any employer or labor organization, or any agent or employee of an  
21 employer or labor organization, who induces any individual who seeks to be or is  
22 employed on a project on which a prevailing wage rate determination has been issued  
23 by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50  
24 (3), or 229.8275 (3) to allow any part of the wages to which that individual is entitled  
25 under the prevailing wage rate determination issued by the department or local

1 governmental unit to be deducted from the individual's pay is guilty of a Class I  
2 felony, unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an  
3 individual who is working on a project that is subject to 40 USC 3142.

4 (4) Any individual employed on a project on which a prevailing wage rate  
5 determination has been issued by the department of workforce development under  
6 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who allows any part of the wages  
7 to which that individual is entitled under the prevailing wage rate determination  
8 issued by the department or local governmental unit to be deducted from his or her  
9 pay is guilty of a Class C misdemeanor, unless the deduction would be allowed under  
10 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to  
11 40 USC 3142.

12 **SECTION 326.** 947.20 of the statutes is repealed.

13 **SECTION 327.** 947.21 of the statutes is repealed.

14 **SECTION 328.** 978.05 (6) (a) of the statutes, as affected by 2023 Wisconsin Act  
15 12, is amended to read:

16 978.05 (6) (a) Institute, commence, or appear in all civil actions or special  
17 proceedings under and perform the duties set forth for the district attorney under ch.  
18 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), 89.08, 103.50 (8), 103.92  
19 (4), 109.09, 343.305 (9) (a), 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a), 946.86,  
20 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in connection  
21 with court proceedings in a court assigned to exercise jurisdiction under chs. 48 and  
22 938 as the judge may request and perform all appropriate duties and appear if the  
23 district attorney is designated in specific statutes, including matters within chs. 782,  
24 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits the authority  
25 of the county board to designate, under s. 48.09 (5), that the corporation counsel

1 provide representation as specified in s. 48.09 (5) or to designate, under s. 48.09 (6)  
2 or 938.09 (6), the district attorney as an appropriate person to represent the interests  
3 of the public under s. 48.14 or 938.14.

4 **SECTION 9150. Nonstatutory provisions; Workforce Development.**

5 (1r) WORKFORCE INNOVATION GRANT PROGRAM; HEALTH CARE-RELATED REGIONAL  
6 ORGANIZATIONS. In fiscal year 2023-24, of the moneys appropriated under s. 20.445  
7 (1) (bw), the department of workforce development shall allocate \$100,000,000 for  
8 grants to health care-related regional organizations to design and implement plans  
9 to address their region's workforce challenges that arose during or were exacerbated  
10 by the COVID-19 pandemic.

11 (2r) MINIMUM WAGE STUDY COMMITTEE.

12 (a) The secretary of workforce development shall establish a minimum wage  
13 study committee under s. 15.04 (1) (c). The committee shall consist of the following:

14 a. Five members appointed by the governor.

15 1. One member appointed by the speaker of the assembly.

16 2. One member appointed by the minority leader of the assembly.

17 3. One member appointed by the majority leader of the senate.

18 4. One member appointed by the minority leader of the senate.

19 (b) The committee created under par. (a) shall study options to achieve a \$15  
20 per hour minimum wage and other options to increase compensation for workers in  
21 this state.

22 (c) No later than October 1, 2024, the committee created under par. (a) shall  
23 submit to the governor and the appropriate standing committees of the legislature  
24 in the manner provided under s. 13.172 (3) a report that includes recommendations

1 regarding the options for achieving a \$15 per hour minimum wage and other means  
2 of increasing worker compensation in this state.

3 (d) The minimum wage study committee terminates upon submission of the  
4 report under par. (c).

5 (3r) WORKER'S COMPENSATION INSURANCE; RATE APPROVAL; NOTICE. The  
6 commissioner of insurance shall submit to the legislative reference bureau for  
7 publication in the Wisconsin Administrative Register a notice of the effective date  
8 of new rates for worker's compensation insurance first approved by the  
9 commissioner under s. 626.13 after the effective date of this subsection.

10 (4r) PROPOSED PERMANENT RULES. The department of workforce development  
11 shall submit in proposed form the rules required under s. 103.105 (8) (c) and (cm),  
12 (9) (a) and (b) 3., and (12) (c) to the legislative council staff under s. 227.15 (1) no later  
13 than the first day of the 4th month beginning after the effective date of this  
14 subsection.

15 (5r) RULE-MAKING EXCEPTIONS FOR PERMANENT RULES.

16 (a) Notwithstanding s. 227.135 (2), the department of workforce development  
17 is not required to present the statement of the scope of the rules required under s.  
18 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c) to the department of  
19 administration for review by the department of administration and approval by the  
20 governor.

21 (b) Notwithstanding s. 227.185, the department of workforce development is  
22 not required to present the rules required under s. 103.105 (8) (c) and (cm), (9) (a) and  
23 (b) 3., and (12) (c) in final draft form to the governor for approval.



1 (c) Notwithstanding s. 227.137 (2), the department of workforce development  
2 is not required to prepare an economic impact analysis for the rules required under  
3 s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c).

4 (d) Notwithstanding ss. 227.14 (2g) and 227.19 (3) (e), the department of  
5 workforce development is not required to submit the proposed rules required under  
6 s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c) to the small business  
7 regulatory review board and is not required to prepare a final regulatory flexibility  
8 analysis for those rules.

9 (6r) EMERGENCY RULES. Using the procedure under s. 227.24, the department  
10 of workforce development shall promulgate the rules required under s. 103.105 (8)  
11 (c) and (cm), (9) (a) and (b) 3., and (12) (c) for the period before the effective date of  
12 the permanent rules promulgated under s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3.,  
13 and (12) (c) but not to exceed the period authorized under s. 227.24 (1) (c), subject to  
14 extension under s. 227.24 (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the  
15 department is not required to provide evidence that promulgating a rule under this  
16 subsection as an emergency rule is necessary for the preservation of public peace,  
17 health, safety, or welfare and is not required to provide a finding of an emergency for  
18 a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and  
19 1g., the department is not required to prepare a statement of the scope of the rules  
20 promulgated under this subsection or present the rules to the governor for approval.

21 (7r) DEPARTMENT OF WORKFORCE DEVELOPMENT POSITIONS.

22 (a) The authorized FTE positions for the department of workforce development  
23 are increased by 0.42 GPR position, to be funded from the appropriation under s.  
24 20.445 (5) (a), to support vocational rehabilitation self-employment clients.

1 (b) The authorized FTE positions for the department of workforce development  
2 are increased by 1.58 FED positions, to be funded from the appropriation under s.  
3 20.445 (5) (n), to support vocational rehabilitation self-employment clients.

4 (c) The authorized FTE positions for the department of workforce development  
5 are increased by 198.0 SEG positions, to be funded from the appropriation under s.  
6 20.445 (6) (r), to administer the paid family and medical leave benefits insurance  
7 program.

8 **SECTION 9250. Fiscal changes; Workforce Development.**

9 (1) WORK INJURY SUPPLEMENTAL BENEFITS FUND. On the effective date of this  
10 subsection, there is transferred from the appropriation account under s. 20.445 (1)  
11 (t) to the appropriation account under s. 20.445 (1) (rr) the unencumbered balance  
12 of the amount collected under s. 102.75 (1g).

13 (2) TRANSFERS TO FAMILY AND MEDICAL LEAVE BENEFITS INSURANCE TRUST FUND.  
14 There is transferred from the general fund to the family and medical leave benefits  
15 insurance trust fund created under s. 25.52 \$243,413,400 in the 2023-25 fiscal  
16 biennium.

17 **SECTION 9350. Initial applicability; Workforce Development.**

18 (1r) EMPLOYMENT DISCRIMINATION; CONSIDERATION OF CONVICTION RECORD. The  
19 treatment of s. 111.335 (3) (ag) first applies to an application for employment  
20 submitted to an employer on the effective date of this subsection.

21 (2r) UNEMPLOYMENT INSURANCE; SSDI PAYMENTS. The treatment of ss. 108.04 (2)  
22 (h) and (12) (f) 1m., 2m., 3., and 4. and 108.05 (7m) (title), (c), and (d), (9), and (10)  
23 (intro.) first applies to determinations issued under s. 108.09 on the effective date of  
24 this subsection.

1           (3r) DISCRIMINATION. The treatment of ss. 66.0903 (10) (d), 111.322 (2m) (c), and  
2           229.8275 first applies to acts of discrimination that occur on the effective date of this  
3           subsection.

4           (4r) EMPLOYMENT DISCRIMINATION DAMAGES. The treatment of ss. 111.39 (4) (d)  
5           and (5) (b) and (d), 111.397, 814.04 (intro.) (by SECTION 212r), and 893.995 first  
6           applies to acts of employment discrimination, unfair honesty testing, or unfair  
7           genetic testing committed on the effective date of this subsection.

8           (5r) FIRST RESPONDER PTSD COVERAGE. The treatment of s. 102.17 (9) (a) 1., 1c.,  
9           1e., 1g., and 1p. and (b) (intro.) first applies to injuries reported on the effective date  
10          of rate changes for worker's compensation insurance approved by the commissioner  
11          of insurance under s. 626.13 after the effective date of this subsection.

12          (6r) COLLECTIVE BARGAINING AGREEMENT. The treatment of ss. 103.135, 103.36,  
13          106.54 (11), 111.322 (2m) (a) (by SECTION 188s) and (b) (by SECTION 188tr), and 814.04  
14          (intro.) (by SECTION 212s) first applies to an employee who is affected by a collective  
15          bargaining agreement that contains provisions inconsistent with the treatment of ss.  
16          103.135, 103.36, 106.54 (11), 111.322 (2m) (a) (by SECTION 188s) and (b) (by SECTION  
17          188tr), and 814.04 (intro.) (by SECTION 212s) on the day on which the collective  
18          bargaining agreement expires or is extended, modified, or renewed, whichever  
19          occurs first.

20          (7r) FAMILY AND MEDICAL LEAVE. The treatment of s. 103.10 (12) (b) first applies  
21          to a violation that occurs, or that an employee should reasonably have known  
22          occurred, on the effective date of this subsection.

23          (8r) PAID FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS.

1           (a) *Family and medical leave benefits insurance trust fund contributions.*  
2 Except as provided in par. (c), the treatment of s. 103.105 (8) first applies to wages  
3 earned on January 1, 2025.

4           (b) *Family or medical leave insurance benefits eligibility.* Except as provided  
5 in par. (c), the treatment of s. 103.105 (3) first applies to a period of family leave, as  
6 defined in s. 103.105 (1) (f), or a period of medical leave, as defined in s. 103.105 (1)  
7 (h), commencing on January 1, 2025.

8           (c) *Collective bargaining agreements.* The treatment of ss. 20.445 (6), 25.17 (1)  
9 (er), 25.52, 103.105, and 111.322 (2m) (a) (by SECTION 188r), with respect to rights to  
10 family and medical leave insurance benefits) and (b) (by SECTION 188t), with respect  
11 to rights to family and medical leave insurance benefits) and SECTION 9150 (4r), (5r),  
12 and (6r) of this act first apply to an employee who is affected by a collective  
13 bargaining agreement that contains provisions inconsistent with the treatment of ss.  
14 20.445 (6), 25.17 (1) (er), 25.52, 103.105, and 111.322 (2m) (a) (by SECTION 188r), with  
15 respect to rights to family and medical leave insurance benefits) and (b) (by SECTION  
16 188t), with respect to rights to family and medical leave insurance benefits) and  
17 SECTION 9150 (4r), (5r), and (6r) of this act on the day on which the collective  
18 bargaining agreement expires or is extended, modified, or renewed.

19           (9r) *PREVAILING WAGE.* The treatment of ss. 19.36 (12), 66.0129 (5), 66.0903 (1)  
20 (a), (am), (b), (c), (cm), (dr), (em), (f), (g), (hm), (im), and (j), (1m) (b), and (2) to (12),  
21 84.41 (3), 84.54, 86.51, 103.005 (12) (a), 103.49, 103.50, 103.503 (1) (a), (e), and (g),  
22 (2), and (3) (a) 2., 104.001 (4), 106.04, 109.09 (1), 111.322 (2m) (a) (by SECTION 188r,  
23 with respect to rights to prevailing wages and hours of labor), (b) (by SECTION 188t,  
24 with respect to rights to prevailing wages and hours of labor), and (c), 227.01 (13) (t),  
25 229.682 (2), 229.8275, 946.15, and 978.05 (6) (a) first apply, with respect to a project

1 of public works that is subject to bidding, to a project for which the request for bids  
 2 is issued on the effective date of this subsection and, with respect to a project of public  
 3 works that is not subject to bidding, to a project the contract for which is entered into  
 4 on the effective date of this subsection.

5 **SECTION 9450. Effective dates; Workforce Development.**

6 (1) EMPLOYMENT DISCRIMINATION; CONSIDERATION OF CONVICTION RECORD. The  
 7 treatment of s. 111.335 (3) (ag) and SECTION 9350 (1r) of this act take effect on the first  
 8 day of the 6th month beginning after publication.

9 (2) UNEMPLOYMENT INSURANCE; SSDI PAYMENTS. The treatment of ss. 108.04 (2)  
 10 (h) and (12) (f) 1m., 2m., 3., and 4. and 108.05 (7m) (title), (c), and (d), (9), and (10)  
 11 (intro.) and SECTION 9350 (2r) of this act take effect on the first Sunday of the 7th  
 12 month beginning after publication.

13 (3) EQUAL PAY. The treatment of ss. 103.135, 103.36, 106.54 (11), 111.322 (2m)  
 14 (a) (by SECTION 188s) and (b) (by SECTION 188tr), and 814.04 (intro.) (by SECTION 212s)  
 15 takes effect on the first day of the 6th month beginning after publication.”.

16 **127.** Page 374, line 11: after that line insert:

17 “SECTION 329. 20.005 (3) (schedule) of the statutes: at the appropriate place,  
 18 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
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19 **20.192 Wisconsin Economic Development**

20 **Corporation**

21 (1) PROMOTION OF ECONOMIC DEVELOPMENT

22 (c) Venture capital fund of funds	GPR	C	75,000,000	-0-
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23 **SECTION 330.** 20.192 (1) (c) of the statutes is created to read:

1           20.192 (1) (c) *Venture capital fund of funds program.* As a continuing  
2 appropriation, the amounts in the schedule to meet the financial needs of the venture  
3 capital fund of funds program established under s. 238.145 (2), including  
4 management fees and the amounts necessary to make investments through the  
5 program.

6           **SECTION 331.** 238.145 of the statutes is created to read:

7           **238.145 Venture capital fund of funds program. (1) DEFINITIONS.** In this  
8 section:

9           (a) “Fund of funds program” means the program established under sub. (2).

10           (b) “Investment manager” means the person with whom the oversight board  
11 enters into a contract under sub. (4).

12           (c) “Oversight board” means the oversight board created under sub. (2) (c).

13           **(2) ESTABLISHMENT OF PROGRAM.** The corporation shall establish and administer  
14 a venture capital fund of funds program to invest moneys in venture capital funds  
15 that invest in businesses located in this state, subject to the requirements of this  
16 section. In establishing the program, the corporation shall do all of the following:

17           (a) Create a fund of funds.

18           (b) Provide that the assets of the fund of funds will continuously be reinvested  
19 in venture capital funds under the fund of funds program.

20           (c) Create an oversight board to conduct any activity as required by this section  
21 or as directed by the corporation.

22           **(3) INVESTMENTS IN VENTURE CAPITAL FUNDS.** (a) The investment manager shall  
23 request from the corporation moneys to make investments through the fund of funds  
24 program and to pay the investment manager’s management fee, and the corporation

1 shall, subject to the approval of the secretary of administration, pay the moneys to  
2 the investment manager from the appropriation under s. 20.192 (1) (c).

3 (b) The oversight board shall establish investment policies for the fund of funds  
4 program, subject to all of the following conditions:

5 1. All moneys paid to the investment manager under par. (a) to make  
6 investments shall be committed for investment to venture capital funds, subject to  
7 the requirements of this section, no later than 60 months after the creation of the  
8 fund of funds under sub. (2) (a).

9 2. No more than \$18,750,000 of the total moneys paid to the investment  
10 manager under par. (a) to make investments may be invested in any single venture  
11 capital fund.

12 3. At least 20 percent of the investments made through the program shall be  
13 directed to any combination of the following:

14 a. Businesses located in parts of this state that typically do not receive  
15 significant investment from venture capital funds.

16 b. Businesses that are at least 51 percent owned by one or more members of a  
17 racial minority group and whose management and daily business operations are  
18 controlled by one or more members of a racial minority group.

19 c. Businesses that are at least 51 percent owned by one or more women and  
20 whose management and daily business operations are controlled by one or more  
21 women.

22 (c) No investment may be made through the program in a lobbying or law firm.

23 (4) INVESTMENT MANAGER. The oversight board shall contract with an  
24 investment manager who meets the qualifications established by the corporation.  
25 The contract shall establish the investment manager's compensation, including any

1 management fee. A management fee may not annually exceed 1 percent of the total  
2 assets under management in the fund of funds program.

3 **(5) VENTURE CAPITAL FUND REQUIREMENTS.** The investment manager shall  
4 contract with each venture capital fund that receives moneys through the fund of  
5 funds program. Each contract shall require the venture capital fund to do all of the  
6 following:

7 (a) Make new investments in an amount equal to the amount of moneys it  
8 receives through the program in one or more businesses who are headquartered in  
9 this state and whose operations are primarily in this state.

10 (b) At least match any moneys it receives through the program and invests in  
11 a business described in par. (a) with an investment in that business of moneys the  
12 venture capital fund has raised from sources other than the program. The  
13 investment manager shall ensure that, on average, for every \$1 a venture capital  
14 fund receives through the program and invests in a business described in par. (a), the  
15 venture capital fund invests \$2 in that business from sources other than the  
16 program.

17 (c) Provide to the investment manager the information necessary for the  
18 investment manager to complete the reports under sub. (6) (a) and (c).

19 **(6) REPORTS OF THE INVESTMENT MANAGER; PUBLIC DISCLOSURES.** (a) Annually, no  
20 later than 120 days after the end of the investment manager's fiscal year, the  
21 investment manager shall submit to the corporation a report for that fiscal year that  
22 includes all of the following:

23 1. An audit of the investment manager's financial statements performed by an  
24 independent certified public accountant.



1           2. The investment manager's internal rate of return from investments made  
2 through the fund of funds program.

3           3. For each venture capital fund that contracts with the investment manager  
4 under sub. (5), all of the following:

5           a. The name and address of the venture capital fund.

6           b. The amounts invested in the venture capital fund through the fund of funds  
7 program.

8           c. An accounting of any fee the venture capital fund paid to itself or any  
9 principal or manager of the venture capital fund.

10          d. The venture capital fund's average internal rate of return on its investments  
11 of the moneys it received through the fund of funds program.

12          4. For each business in which a venture capital fund held an investment of  
13 moneys received through the fund of funds program, all of the following:

14          a. The name and address of the business.

15          b. A description of the nature of the business.

16          c. An identification of the venture capital fund.

17          d. The amount of the investment and the amount invested by the venture  
18 capital fund from funding sources other than the program.

19          e. The internal rate of return realized by the venture capital fund upon the  
20 venture capital fund's exit from the investment in the business.

21          f. A statement of the number of employees the business employed when the  
22 venture capital fund first invested moneys received through the program and the  
23 number of employees the business employed on the first day and last day of the  
24 investment manager's fiscal year.

1 (b) No later than 10 days after it receives the investment manager's report  
2 under par. (a), the corporation shall submit the report to the chief clerk of each house  
3 of the legislature, for distribution to the legislature under s. 13.172 (2).

4 (c) Quarterly, the investment manager shall submit to the oversight board a  
5 report for the preceding quarter that includes all of the following:

6 1. An identification of each venture capital fund under contract with the  
7 investment manager under sub. (5).

8 2. An identification of each business in which a venture capital fund held an  
9 investment of moneys received through the fund of funds program and a statement  
10 of the amount of the investment in each business.

11 3. A statement of the number of employees the business employed when the  
12 venture capital fund first invested moneys received through the fund of funds  
13 program and the number of employees the business employed on the last day of the  
14 quarter.

15 (d) The oversight board shall make the reports under par. (c) readily accessible  
16 to the public on the corporation's Internet site.

17 (7) POLICIES AND PROCEDURES. The corporation shall establish policies and  
18 procedures to administer this section.”.

19 **128.** Page 374, line 11: after that line insert:

20 “SECTION 332. 40.05 (4) (a) 2. of the statutes is amended to read:

21 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.  
22 40.02 (25) (a) 2. or (b) 1m. or 2c., the employer shall pay required employer  
23 contributions toward the health insurance premium of the insured employee  
24 beginning on the date on which the employee becomes insured. For an insured state

1 employee who is currently employed, but who is not a limited term appointment  
2 under s. 230.26 or an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2c., the  
3 employer shall pay required employer contributions toward the health insurance  
4 premium of the insured employee beginning on the first day of the ~~3rd~~ 2nd month  
5 beginning after the date on which the employee begins employment with the state,  
6 not including any leave of absence. For an insured employee who has a limited term  
7 appointment under s. 230.26, the employer shall pay required employer  
8 contributions toward the health insurance premium of the insured employee  
9 beginning on the first day of the 7th month beginning after the date on which the  
10 employee first becomes a participating employee.

11 **SECTION 9313. Initial applicability; Employee Trust Funds.**

12 (1) EMPLOYER CONTRIBUTION FOR HEALTH INSURANCE PREMIUMS. The treatment of  
13 s. 40.05 (4) (a) 2. first applies to state employees hired on the effective date of this  
14 subsection.”.

15 **129.** Page 374, line 11: after that line insert:

16 “**SECTION 333.** 20.192 (1) (a) of the statutes is amended to read:

17 20.192 (1) (a) *Operations and programs.* A sum sufficient in each fiscal year  
18 equal to the amount obtained by subtracting from ~~\$41,550,700~~ \$51,550,700 an  
19 amount equal to the sum of the amounts expended in that fiscal year from the  
20 appropriations under pars. (r) and (s), for the operations of the Wisconsin Economic  
21 Development Corporation and for funding economic development programs  
22 developed and implemented under s. 238.03. No more than \$16,512,500 may be  
23 expended from this appropriation in any fiscal year, and moneys may be expended

1 from this appropriation only if there are no unencumbered moneys available in the  
2 appropriation account under par. (r).”.

3 **130.** Page 374, line 11: after that line insert:

4 **“SECTION 9249. Fiscal changes; Wisconsin Economic Development**  
5 **Corporation.**

6 (1k) GPR APPROPRIATION OF THE WISCONSIN ECONOMIC DEVELOPMENT  
7 CORPORATION. Notwithstanding the cap on expenditures specified in s. 20.192 (1) (a),  
8 in fiscal year 2023-24, the amount the Wisconsin Economic Development  
9 Corporation may expend from the appropriation under s. 20.192 (1) (a) for the  
10 purposes for which the appropriation is made is equal to the lesser of the following:

11 (a) The amount calculated under s. 20.192 (1) (a) plus \$40,000,000.

12 (b) \$66,512,500.”.

13 **131.** Page 374, line 11: after that line insert:

14 **“SECTION 334.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
15 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
<b>20.192 Wisconsin Economic Development Corporation</b>		

18 (1) PROMOTION OF ECONOMIC DEVELOPMENT

(br) Main street bounceback grants	GPR	A	25,000,000	25,000,000
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20 **SECTION 335.** 20.192 (1) (br) of the statutes is created to read:

21 20.192 (1) (br) *Main street bounceback grants.* The amounts in the schedule  
22 for grants awarded under s. 238.129.

23 **SECTION 336.** 238.129 of the statutes is created to read:

1           **238.129 Main street bounceback grants. (1)** GRANTS. From the  
2 appropriation under s. 20.192 (1) (br), the corporation may award grants to provide  
3 assistance to businesses opening a new location or expanding operations in a vacant  
4 commercial space.

5           **(2) ELIGIBILITY.** (a) Subject to par. (b), the corporation shall establish eligibility  
6 requirements and other policies and procedures for the grants awarded under sub.  
7 (1) that are substantially similar to the eligibility requirements and policies and  
8 procedures in effect on June 30, 2023, for the Wisconsin Tomorrow Main Street  
9 Bounceback Grant program administered by the corporation.

10           (b) The corporation may not award a grant under this section to a nonprofit  
11 organization.”.

12           **132.** Page 374, line 11: after that line insert:

13           “**SECTION 337.** 71.78 (4) (m) of the statutes is amended to read:

14           71.78 **(4)** (m) The chief executive officer of the Wisconsin Economic  
15 Development Corporation and employees of the corporation to the extent necessary  
16 to administer ~~the development zone program~~ economic development programs under  
17 ~~subch. II of ch. 238.~~

18           **SECTION 338.** 71.78 (5) of the statutes is amended to read:

19           71.78 **(5)** AGREEMENT WITH DEPARTMENT. Copies of returns and claims specified  
20 in sub. (1) and related schedules, exhibits, writings or audit reports shall not be  
21 furnished to the persons listed under sub. (4), except persons under sub. (4) (e), (k),  
22 (n), (o) and (q) or under an agreement between the department of revenue and  
23 another agency of government or the Wisconsin Economic Development  
24 Corporation.”.

1           **133.** Page 374, line 11: after that line insert:

2           “**SECTION 339.** 238.03 (4) (b) (intro.) of the statutes is renumbered 238.03 (4)  
3 (b) and amended to read:

4           238.03 (4) (b) The board shall establish policies and procedures for maintaining  
5 and expending any unassigned balance ~~that satisfy all of the following~~  
6 ~~requirements.~~

7           **SECTION 340.** 238.03 (4) (b) 1. of the statutes is renumbered 238.03 (4) (bm) and  
8 amended to read:

9           238.03 (4) (bm) The policies and procedures established under par. (b) shall be  
10 consistent with best practices recommended by the Government Finance Officers  
11 Association.

12           **SECTION 341.** 238.03 (4) (b) 2. of the statutes is repealed.”.

13           **134.** Page 374, line 11: after that line insert:

14           “**SECTION 342.** 20.192 (1) (k) of the statutes is repealed.

15           **SECTION 343.** 238.14 of the statutes is repealed.”.

16           **135.** Page 374, line 11: after that line insert:

17           “**SECTION 344.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
18 insert the following amounts for the purposes indicated:

**2023-24            2024-25**

19           **20.437 Children and families, department of**

20           (2)    ECONOMIC SUPPORT

21           (fm)   Early childhood education center   GPR       B           840,000           -0-

22           **SECTION 345.** 20.437 (2) (fm) of the statutes is created to read:

1           20.437 (2) (fm) *Early childhood education center*. Biennially, the amounts in  
2 the schedule for payments under 2023 Wisconsin Act ... (this act), section 9106 (1).

3           **SECTION 346.** 20.437 (2) (fm) of the statutes, as affected by 2023 Wisconsin Act  
4 .... (this act), is repealed.

5           **SECTION 347.** 49.175 (1) (qm) of the statutes is amended to read:

6           49.175 (1) (qm) *Quality care for quality kids*. For the child care quality  
7 improvement activities specified in ss. 49.155 (1g) and 49.257, ~~\$16,683,700 in each~~  
8 fiscal year and the establishment of an early childhood education center under 2023  
9 Wisconsin Act ... (this act), section 9106 (1), \$42,850,900 in fiscal year 2023-24 and  
10 \$42,647,700 in fiscal year 2024-25.

11           **SECTION 9106. Nonstatutory provisions; Children and Families.**

12           (1) EARLY CHILDHOOD EDUCATION CENTER. From the appropriation account under  
13 s. 20.437 (2) (fm) and the allocation under s. 49.175 (1) (qm), the department of  
14 children and families shall provide \$1,680,000 in fiscal year 2023-24 to Wellpoint  
15 Care Network to establish an early childhood education center in the city of  
16 Milwaukee.

17           **SECTION 9406. Effective dates; Children and Families.**

18           (1) EARLY CHILDHOOD EDUCATION CENTER. The repeal of s. 20.437 (2) (fm) takes  
19 effect on July 1, 2025.”.

20           **136.** Page 374, line 11: after that line insert:

21           “**SECTION 348.** 20.923 (4) (d) 2. of the statutes is created to read:

22           20.923 (4) (d) 2. Administration, department of: chief equity officer.

23           **SECTION 349.** 230.08 (2) (yg) of the statutes is created to read:

24           230.08 (2) (yg) The chief equity officer in the department of administration.”.

1 **137.** Page 374, line 11: after that line insert:

2 “SECTION 350. 49.163 (2) (am) 4. of the statutes is repealed.

3 SECTION 351. 49.163 (2) (am) 5. of the statutes is amended to read:

4 49.163 (2) (am) 5. ~~Be ineligible~~ Have not filed for unemployment insurance  
5 benefits or have filed but is not eligible to receive unemployment insurance  
6 benefits.”.

7 **138.** Page 374, line 11: after that line insert:

8 “SECTION 352. 20.005 (3) (schedule) of the statutes: at the appropriate place,  
9 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
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10 **20.437 Children and families, department of**

11 (1) CHILDREN AND FAMILY SERVICES

12 (bm) Intensive family preservation

services	GPR	A	16,567,500	16,595,900
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14 SECTION 353. 20.437 (1) (bm) of the statutes is created to read:

15 20.437 (1) (bm) *Intensive family preservation services.* The amounts in the  
16 schedule to provide services under s. 48.48 (17m).

17 SECTION 354. 48.48 (17m) of the statutes is created to read:

18 48.48 (17m) (a) To provide intensive family preservation services or to provide  
19 funding to county departments, nonprofit or for-profit corporations, Indian tribes,  
20 or licensed child welfare agencies under contract with the department or a county  
21 department to provide intensive family preservation services. In this subsection,  
22 “intensive family preservation services” means evidence-informed services that are  
23 targeted to prevent the removal of children from the home under this chapter or ch.



1 938, to promote the safety of children in the home, or to provide services to children  
2 who are placed in out-of-home care or who are involved in the juvenile justice  
3 system.

4 (b) To provide support for intensive family preservation services provided by  
5 the department, county departments, nonprofit corporations, Indian tribes, or  
6 licensed child welfare agencies, including any of the following:

7 1. Training, coaching, quality assurance, data collection and analysis, and  
8 funding for certification or licensing for implementation of the services.

9 2. Purchasing or subsidizing the purchase of the services described in subd. 1.

10 (c) To develop criteria, standards, and review procedures for the administration  
11 of this subsection. Notwithstanding s. 227.10 (1), the criteria, standards, and review  
12 procedures established under this paragraph need not be promulgated as rules  
13 under ch. 227.

14 **SECTION 355.** 48.48 (22) of the statutes is created to read:

15 48.48 (22) To create, maintain, and require use of for placement purposes a  
16 group care referral clearinghouse. The department may promulgate rules necessary  
17 for the implementation of this subsection.”.

18 **139.** Page 374, line 11: after that line insert:

19 “**SECTION 356.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
20 insert the following amounts for the purposes indicated:

**2023-24      2024-25**

21 **20.437 Children and families, department of**

22 (1) CHILDREN AND FAMILY SERVICES

1 (dm) Sibling connections scholarships GPR A 75,000 75,000

2 **SECTION 357.** 20.437 (1) (bg) of the statutes is amended to read:

3 20.437 (1) (bg) *Grants to support foster parents and children.* The amounts in  
4 the schedule for grants by the department of children and families under 2017  
5 ~~Wisconsin Act 260, section 3 s. 48.53.~~

6 **SECTION 358.** 20.437 (1) (dm) of the statutes is created to read:

7 20.437 (1) (dm) *Sibling connections scholarships.* The amounts in the schedule  
8 for the scholarship program under s. 48.483.

9 **SECTION 359.** 48.483 of the statutes is created to read:

10 **48.483 Sibling connections scholarships.** From the appropriation under  
11 s. 20.437 (1) (dm), the department shall award scholarships to adopted children and  
12 their biological siblings who do not reside in the same household to attend programs  
13 together in order to build sibling connections.

14 **SECTION 360.** 48.53 of the statutes is created to read:

15 **48.53 Grants to support foster parents and children.** From the  
16 appropriation account under s. 20.437 (1) (bg), the department shall distribute  
17 grants to counties, nonprofit organizations, or tribes for the purpose of supporting  
18 foster parents and providing normalcy for children in out-of-home care.”.

19 **140.** Page 374, line 11: after that line insert:

20 **“SECTION 9101. Nonstatutory provisions; Administration.**

21 (1k) COMPENSATION RESERVES OVERVIEW AND FRINGE BENEFIT COSTS. The  
22 administrator of the division of personnel management in the department of  
23 administration shall ensure that the compensation plan is administered in

1 compliance with this act and shall reestimate the sum sufficient under s. 20.865 (1)  
2 for compensation reserves and fringe benefit costs under this act.”.

3 **141.** Page 374, line 11: after that line insert:

4 **“SECTION 9101. Nonstatutory provisions; Administration.**

5 (1k) GENERAL WAGE ADJUSTMENTS.

6 (a) The administrator of the division of personnel management in the  
7 department of administration shall specify in the compensation plan under s. 230.12  
8 for the 2023-25 fiscal biennium a general wage adjustment for state employees and  
9 employees of the University of Wisconsin System of 5 percent on July 1, 2023, and  
10 3 percent on July 1, 2024.

11 (b) If, on the effective date of this paragraph, the compensation plan under s.  
12 230.12 has been adopted for the 2023-25 biennium and the compensation plan does  
13 not include the general wage adjustments required under par. (a), no later than 30  
14 days after the effective date of this paragraph, the administrator of the division of  
15 personnel management in the department of administration shall propose an  
16 amendment under s. 230.12 (3) (c) to include those general wage adjustments in the  
17 compensation plan for the 2023-25 fiscal biennium.”.

18 **142.** Page 374, line 11: after that line insert:

19 **“SECTION 9101. Nonstatutory provisions; Administration.**

20 (1i) COMPENSATION FOR CORRECTIONAL SECURITY POSITIONS AT DEPARTMENT OF  
21 CORRECTIONS AND SECURITY POSITIONS AT DEPARTMENT OF HEALTH SERVICES.

22 (a) The administrator of the division of personnel management in the  
23 department of administration shall include in the compensation plan under s. 230.12  
24 for the 2023-25 fiscal biennium all of the following items:

1           1. A minimum pay of \$33 per hour for employees in pay range 05-31 at the  
2 department of corrections.

3           2. A conversion of the pilot \$4 add-on pay to base pay in the 2021-23  
4 compensation plan for security employees of the department of corrections to a  
5 permanent increase to base pay.

6           3.. An enhanced correctional security pay progression system and supervisor  
7 parity for the increases to minimum pay for non-supervisor security employees of  
8 the department of corrections.

9           4. An add-on of \$1 per hour for security employees at medium-security  
10 correctional institutions.

11           5. An add-on of \$5 per hour for security employees at correctional institutions  
12 with high-vacancy rates.

13           6. An add-on of \$5 per hour for probation and parole agents who work as  
14 security personnel at a correctional institution.

15           7. An increase of the maximum-security add-on in the 2021-23 compensation  
16 plan to \$4 per hour.

17           8. An add-on for employees of the department of health services who provide  
18 security services similar to those provided by department of corrections employees  
19 at maximum-security facilities of \$4 per hour.

20           (b) If, on the effective date of this paragraph, the compensation plan under s.  
21 230.12 has been adopted for the 2023-25 fiscal biennium and the compensation plan  
22 does not include provisions required by par. (a), by no later than 30 days after the  
23 effective date of this paragraph, the administrator of the division of personnel  
24 management in the department of administration shall propose an amendment

1 under s. 230.12 (3) (c) to include the provisions required by par. (a) in the  
2 compensation plan for the 2023-25 fiscal biennium.”.

3 **143.** Page 374, line 11: after that line insert:

4 **“SECTION 9101. Nonstatutory provisions; Administration.**

5 (1u) PAY PROGRESSION SYSTEMS.

6 (a) *General pay progression structure for non-supervisory positions.* The  
7 administrator of the division of personnel management in the department of  
8 administration shall provide in the compensation plan under s. 230.12 for the  
9 2023-25 fiscal biennium a new general pay progression structure for  
10 non-supervisory positions that is funded with \$1,065,200 GPR from the  
11 compensation reserves for fiscal year 2023-24, and \$3,057,300 GPR from the  
12 compensation reserves for fiscal year 2024-25.

13 (b) *Pay progression structure for probation and parole agents-senior and parity*  
14 *pay for corrections field supervisors.* The administrator of the division of personnel  
15 management in the department of administration shall provide in the compensation  
16 plan under s. 230.12 for the 2023-25 fiscal biennium a pay progression structure for  
17 probation and parole agents-senior and parity pay for corrections field supervisors  
18 that is funded with \$8,782,600 GPR from the compensation reserves for fiscal year  
19 2023-24, and \$9,154,600 GPR from the compensation reserves for fiscal year  
20 2024-25.

21 (c) *Pay progression structure for department of natural resources wardens and*  
22 *state capitol police.* The administrator of the division of personnel management in  
23 the department of administration shall provide in the compensation plan under s.  
24 230.12 for the 2023-25 fiscal biennium modifications to the existing pay progression

1 structure for department of natural resources wardens and state capitol police that  
2 is funded in part with \$127,800 GPR from the compensation reserves annually.

3 (d) *Compensation plan amendment.* If, on the effective date of this paragraph,  
4 the compensation plan under s. 230.12 has been adopted for the 2023-25 fiscal  
5 biennium and the compensation plan does not include provisions required under  
6 pars. (a) to (c), by no later than 30 days after the effective date of this paragraph, the  
7 administrator of the division of personnel management in the department of  
8 administration shall propose an amendment under s. 230.12 (3) (c) to include the  
9 provisions required under pars. (a) to (c) in the compensation plan for the 2023-25  
10 fiscal biennium.”.

11 **144.** Page 374, line 11: after that line insert:

12 **“SECTION 9101. Nonstatutory provisions; Administration.**

13 (1k) MARKET WAGE AND PARITY ADJUSTMENTS.

14 (a) *Market wage and parity adjustments for various classifications.* The  
15 administrator of the division of personnel management in the department of  
16 administration shall provide in the compensation plan under s. 230.12 for the  
17 2023-25 fiscal biennium general market wage and parity adjustments for various  
18 classifications that are paid for with \$19,228,000 GPR from the compensation  
19 reserves for fiscal year 2023-24 and \$18,515,900 GPR from the compensation  
20 reserves for fiscal year 2024-25.

21 (b) *Generated market wage adjustments for information technology positions.*  
22 The administrator of the division of personnel management in the department of  
23 administration shall provide in the compensation plan under s. 230.12 for the  
24 2023-25 fiscal biennium generated market wage adjustments for information

1 technology positions that are paid for with \$2,023,200 GPR from the compensation  
2 reserves for fiscal year 2024-25.

3 (c) *Market wage adjustments for classified attorneys.* The administrator of the  
4 division of personnel management in the department of administration shall provide  
5 in the compensation plan under s. 230.12 for the 2023-25 fiscal biennium market  
6 wage adjustments for classified attorneys who are not eligible for pay progression  
7 that are paid for with \$870,000 GPR from the compensation reserves for fiscal year  
8 2023-24 and \$1,074,400 GPR from the compensation reserves for fiscal year  
9 2024-25.

10 (d) *Compensation plan amendment.* If, on the effective date of this paragraph,  
11 the compensation plan under s. 230.12 has been adopted for the 2023-25 fiscal  
12 biennium and the compensation plan does not include the market wage and parity  
13 adjustments under pars. (a) to (c), by no later than 30 days after the effective date  
14 of this paragraph, the administrator of the division of personnel management in the  
15 department of administration shall propose an amendment under s. 230.12 (3) (c) to  
16 include the market wage and parity adjustments under pars. (a) to (c) in the  
17 compensation plan for the 2023-25 fiscal biennium.”.

18 **145.** Page 374, line 11: after that line insert:

19 **“SECTION 9101. Nonstatutory provisions; Administration.**

20 (1u) PILOT ADD-ON CONTINUATION FOR NON-SECURITY POSITIONS.

21 (a) *Pilot add-on continuation for certain nonsecurity positions.* The  
22 administrator of the division of personnel management in the department of  
23 administration shall provide in the compensation plan under s. 230.12 for the  
24 2023-25 fiscal biennium a continuation of the pilot add-on in the 2021-23

1 compensation plan for nonsecurity positions in the department of administration,  
2 department of corrections, department of health services, department of military  
3 affairs, department of safety and professional services, and the department of  
4 veterans affairs that is paid for with \$3,761,000 GPR, \$2,787,600 FED and  
5 11,462,300 PR from the compensation reserves for fiscal year 2023-24, and  
6 \$3,626,900 GPR, \$2,444,500 FED, and \$11,026,000 PR from the compensation  
7 reserves for fiscal year 2024-25.

8 (d) *Amendment to compensation plan.* If, on the effective date of this paragraph,  
9 the compensation plan under s. 230.12 has been adopted for the 2023-25 fiscal  
10 biennium and the compensation plan does not include the pilot add-on continuation  
11 under par. (a), by no later than 30 days after the effective date of this paragraph, the  
12 administrator of the division of personnel management in the department of  
13 administration shall propose an amendment under s. 230.12 (3) (c) to include the  
14 pilot add-on continuation under par. (a) in the compensation plan for the 2023-25  
15 fiscal biennium.”.

16 **146.** Page 374, line 11: after that line insert:

17 **“SECTION 9213. Fiscal changes; Employee Trust Funds.**

18 (1) BUSINESS PROCESSES AND SYSTEMS MODERNIZATION. In the schedule under s.  
19 20.005 (3) for the appropriation to the department of employee trust funds under s.  
20 20.515 (1) (w), the dollar amount for fiscal year 2023-24 is increased by \$3,626,300  
21 to increase the authorized FTE positions by 4.0 SEG and authorized project FTE  
22 positions by 3.0 SEG for business processes and systems modernization. In the  
23 schedule under s. 20.005 (3) for the appropriation to the department of employee  
24 trust funds under s. 20.515 (1) (w), the dollar amount for fiscal year 2024-25 is



1 increased by \$8,110,500 to increase the authorized FTE positions by 4.0 SEG and  
2 authorized project positions by 3.0 SEG for business processes and systems  
3 modernization.”.

4 **147.** Page 374, line 11: after that line insert:

5 **“SECTION 9213. Fiscal changes; Employee Trust Funds.**

6 (1u) RESOURCES FOR SERVICE SUPPORT AND FINANCIAL FUNCTIONS. In the schedule  
7 under s. 20.005 (3) for the appropriation to the department of employee trust funds  
8 under s. 20.515 (1) (w), the dollar amount for fiscal year 2023-24 is increased by  
9 \$581,400 to increase the authorized FTE positions by 9.0 SEG positions to reduce the  
10 workload for division of retirement services staff and improve customer service  
11 support for employers in the wisconsin retirement system and participants in the  
12 wisconsin retirement system and to reduce the workload for division of trust finance  
13 staff and to improve accounting and financial functions, including the addition of  
14 staff with actuarial experience. In the schedule under s. 20.005 (3) for the  
15 appropriation to the department of employee trust funds under s. 20.515 (1) (w), the  
16 dollar amount for fiscal year 2024-25 is increased by \$734,000 to increase the  
17 authorized FTE positions by 9.0 SEG reduce the workload for division of retirement  
18 services staff and improve customer service support for employers in the wisconsin  
19 retirement system and participants in the wisconsin retirement system and to  
20 reduce the workload for division of trust finance staff and to improve accounting and  
21 financial functions, including the addition of staff with actuarial experience.”.

22 **148.** Page 374, line 11: after that line insert:

23 **“SECTION 361.** 20.380 (1) (b) of the statutes is amended to read:

1           20.380 (1) (b) *Tourism marketing; general purpose revenue.* Biennially, the  
2 amounts in the schedule for tourism marketing service expenses and the execution  
3 of the functions under ss. 41.11 (4) and 41.17. ~~In each fiscal year, the department~~  
4 ~~shall expend for tourism marketing service expenses and the execution of the~~  
5 ~~functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to~~  
6 ~~the amount in the schedule for the fiscal year as the amount expended under par. (kg)~~  
7 ~~in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year.~~  
8 Of the amounts under this paragraph, not more than 50 percent shall be used to  
9 match funds allocated under s. 41.17 by private or public organizations for the joint  
10 effort marketing of tourism with the state.

11           **SECTION 362.** 20.380 (1) (kg) of the statutes is repealed.

12           **SECTION 363.** 41.17 (5) of the statutes is amended to read:

13           41.17 (5) FUNDING SOURCE. Subject to the 50 percent limitation under s. 20.380  
14 (1) (b) ~~and the proportional expenditure requirements under s. 20.380 (1) (b) and~~  
15 ~~(kg),~~ the department shall expend, from the appropriations under s. 20.380 (1) (b),  
16 ~~(kg),~~ and (w), at least \$1,130,000 in the aggregate in each fiscal year in joint effort  
17 marketing funds under this section.”.

18           **149.** Page 374, line 11: after that line insert:

19           “**SECTION 364.** 16.29 (title) of the statutes is amended to read:

20           **16.29** (title) **Technical assistance and tourism promotion.**

21           **SECTION 365.** 16.29 (1) of the statutes is renumbered 16.29 (1) (intro.) and  
22 amended to read:

1           16.29 (1) (intro.) Annually, the department shall grant to the Great Lakes  
2 inter-tribal council the amount appropriated under s. 20.505 (1) (kx) ~~to~~ for the  
3 following purposes:

4           (a) To partially fund a program to provide technical assistance for economic  
5 development on Indian reservations if the conditions under subs. (2) and (3) are  
6 satisfied.

7           **SECTION 366.** 16.29 (1) (b) of the statutes is created to read:

8           16.29 (1) (b) To fund tourism promotion activities under the Native American  
9 Tourism of Wisconsin program. The grants under this paragraph are not subject to  
10 the conditions under subs. (2) and (3).

11           **SECTION 9143. Nonstatutory provisions; Tourism.**

12           (1k) TRANSFER OF AMERICAN INDIAN TOURISM MARKETING CONTRACT. The contract  
13 between the department of tourism and the Great Lakes inter-tribal council in effect  
14 on the effective date of this subsection that is primarily related to the promotion of  
15 tourism featuring American Indian heritage and culture, as determined by the  
16 secretary of administration, is transferred to the department of administration. The  
17 department of administration shall carry out any obligations under such a contract  
18 until the contract is modified or rescinded by the department of administration to the  
19 extent allowed under the contract.”.

20           **150.** Page 374, line 11: after that line insert:

21           “**SECTION 367.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
22 insert the following amounts for the purposes indicated:

<b>2023-24</b>	<b>2024-25</b>
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1 **20.380 Tourism, department of**

2 (1) TOURISM DEVELOPMENT AND PROMOTION

3 (c) Opportunity attraction and pro-

4 motion	GPR	C	20,000,000	15,000,000
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5 **SECTION 2.** 20.380 (1) (c) of the statutes is created to read:

6 20.380 (1) (c) *Opportunity attraction and promotion.* As a continuing  
7 appropriation, the amounts in the schedule for expenditures under s. 41.11 (1) (gm).

8 **SECTION 3.** 41.11 (1) (gm) of the statutes is created to read:

9 41.11 (1) (gm) From the appropriation under s. 20.380 (1) (c), expend moneys  
10 to attract major opportunities and events to this state, including expenditures for  
11 major marketing and professional efforts. The department shall collaborate with the  
12 Wisconsin Economic Development Corporation to implement the department's  
13 duties under this paragraph.”

14 **151.** Page 374, line 11: after that line insert:

15 “**SECTION 368.** 20.380 (1) (kc) of the statutes is repealed.

16 **SECTION 369.** 41.21 of the statutes is repealed.”

17 **152.** Page 374, line 11: after that line insert:

18 “**SECTION 370.** 20.435 (5) (bf) of the statutes is amended to read:

19 20.435 (5) (bf) *Brighter futures initiative Grants for youth services.* The  
20 amounts in the schedule to be transferred to the appropriation account under s.  
21 20.437 (1) (kb) for the ~~brighter futures initiative under s. 48.545 grants for youth~~  
22 services under s. 48.481.

23 **SECTION 371.** 20.437 (1) (bc) of the statutes is amended to read:

1           20.437 (1) (bc) *Grants for ~~children's community programs~~ youth services*. The  
2 amounts in the schedule for grants for ~~children's community programs~~ youth  
3 services under s. 48.481. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
4 department may transfer funds between fiscal years under this paragraph. All  
5 moneys under this appropriation account that are distributed under s. 48.481 but are  
6 not encumbered by December 31 of each year lapse to the general fund on the next  
7 January 1 unless carried forward to the next calendar year by the joint committee  
8 on finance.

9           **SECTION 372.** 20.437 (1) (bd) of the statutes is created to read:

10           20.437 (1) (bd) *Tribal family services grants*. The amounts in the schedule for  
11 tribal family services grants under s. 48.487.

12           **SECTION 373.** 20.437 (1) (bn) of the statutes is created to read:

13           20.437 (1) (bn) *Tribal placements*. The amounts in the schedule to be used for  
14 unexpected or unusually high-cost out-of-home care placements of Indian children  
15 by tribal courts, including placements of Indian juveniles who have been adjudicated  
16 delinquent.

17           **SECTION 374.** 20.437 (1) (e) of the statutes is repealed.

18           **SECTION 375.** 20.437 (1) (eg) of the statutes is repealed.

19           **SECTION 376.** 20.437 (1) (er) of the statutes is repealed.

20           **SECTION 377.** 20.437 (1) (kb) of the statutes is amended to read:

21           20.437 (1) (kb) *Interagency aids; ~~brighter futures initiative~~ grants for youth*  
22 *services*. All moneys transferred from the appropriation account under s. 20.435 (5)  
23 (bf) for the ~~brighter futures initiative~~ under s. 48.545 grants for youth services under  
24 s. 48.481.

25           **SECTION 378.** 20.9275 (2) (intro.) of the statutes is amended to read:

1           20.9275 (2) (intro.) No state agency or local governmental unit may authorize  
2 payment of funds of this state, of any local governmental unit or, subject to sub. (3m),  
3 of federal funds passing through the state treasury as a grant, subsidy or other  
4 funding that wholly or partially or directly or indirectly involves pregnancy  
5 programs, projects or services, that is a grant, subsidy or other funding under s.  
6 48.481, 48.487, ~~48.545~~, 253.05, 253.07, 253.08, or 253.085 or 42 USC 701 to 710, if  
7 any of the following applies:

8           **SECTION 379.** 48.48 (19) of the statutes is repealed.

9           **SECTION 380.** 48.481 (title) of the statutes is amended to read:

10           **48.481** (title) **Grants for children’s community programs youth**  
11 **services.**

12           **SECTION 381.** 48.481 (intro.) of the statutes is renumbered 48.481 (2m) (intro.)  
13 and amended to read:

14           48.481 (2m) (intro.) ~~From the appropriation under s. 20.437 (1) (bc), the The~~  
15 ~~department shall distribute the following grants for children’s community programs~~  
16 ~~youth services to public agencies, nonprofit corporations, and Indian tribes to~~  
17 ~~provide programs that accomplish one or more of the following purposes:~~

18           **SECTION 382.** 48.481 (1) of the statutes is repealed.

19           **SECTION 383.** 48.481 (1m) of the statutes is created to read:

20           48.481 (1m) In this section:

21           (a) “Nonprofit corporation” means a nonstock, nonprofit corporation organized  
22 under ch. 181.

23           (b) “Public agency” means a county, city, village, town, or school district or an  
24 agency of this state or of a county, city, village, town, or school district.

25           **SECTION 384.** 48.481 (2) of the statutes is repealed.

1           **SECTION 385.** 48.481 (2m) (a), (b), (c), (d), (e), (f), (g), (h) and (i) and (3) of the  
2 statutes are created to read:

3           48.481 **(2m)** (a) Increasing youth access to housing.

4           (b) Increasing youth self-sufficiency through employment, education, and  
5 training.

6           (c) Increasing youth social and emotional health by promoting healthy and  
7 stable adult connections, social engagement, and connection with necessary  
8 services.

9           (d) Preventing sex trafficking of children and youth.

10          (e) Providing treatment and services for documented and suspected victims of  
11 child and youth sex trafficking.

12          (f) Preventing and reducing the incidence of youth violence and other  
13 delinquent behavior.

14          (g) Preventing and reducing the incidence of youth alcohol and other drug use  
15 and abuse.

16          (h) Preventing and reducing the incidence of child abuse and neglect.

17          (i) Preventing and reducing the incidence of teen pregnancy.

18          **(3)** From the appropriations under s. 20.437 (1) (bc) and (kb), the department  
19 shall distribute \$55,000 in each fiscal year to Diverse and Resilient, Inc., to provide  
20 programs that accomplish one or more of the purposes under sub. (2m).

21          **SECTION 386.** 48.545 of the statutes is repealed.

22          **SECTION 387.** 49.1385 of the statutes is repealed.

23          **SECTION 388.** 49.175 (1) (intro.) of the statutes is amended to read:

24          49.175 **(1)** ALLOCATION OF FUNDS. (intro.) In this section, with respect to any  
25 of the following that fund a contract for services, “allocate” means to designate an

1 amount of money equal to the amount under the contract that the department is  
2 obligated to pay. Except as provided in sub. (2), within the limits of the  
3 appropriations under s. 20.437 (2) (a), (cm), (dz), (k), (kx), (L), (mc), (md), (me), and  
4 (s) and (3) (kp), the department shall allocate the following amounts for the following  
5 purposes:

6 **SECTION 389.** 49.175 (1) (f) of the statutes is amended to read:

7 49.175 (1) (f) *Homeless case management services grants.* For grants to shelter  
8 facilities under s. 16.3085, ~~\$500,000~~ \$1,000,000 in each fiscal year. All moneys  
9 allocated under this paragraph shall be credited to the appropriation account under  
10 s. 20.505 (7) (kg).

11 **SECTION 390.** 49.175 (1) (ms) of the statutes is created to read:

12 49.175 (1) (ms) *Child support debt reduction.* For the child support debt  
13 reduction program for low-income noncustodial parents under s. 49.226, \$3,472,000  
14 in fiscal year 2023-24 and \$6,944,000 in fiscal year 2024-25.

15 **SECTION 391.** 49.175 (1) (o) of the statutes is amended to read:

16 49.175 (1) (o) ~~*Evidence-based substance abuse prevention grants*~~ *Grants for*  
17 *youth services.* For grants awarded under s. ~~48.545 (2) (e)~~ 48.481, \$500,000 in each  
18 fiscal year.

19 **SECTION 392.** 49.175 (1) (t) of the statutes is amended to read:

20 49.175 (1) (t) *Safety and out-of-home placement services.* For services provided  
21 to ensure the safety of children who the department or a county determines may  
22 remain at home if appropriate services are provided, and for services provided to  
23 families with children placed in out-of-home care, ~~\$10,314,300~~ \$6,282,400 in each  
24 fiscal year. To receive funding under this paragraph, a county shall match a  
25 percentage of the amount received that is equal to the percentage the county is



1 required to match for a distribution under s. 48.563 (2) as specified by the schedule  
2 established by the department under s. 48.569 (1) (d).

3 **SECTION 393.** 49.175 (1) (zh) of the statutes is amended to read:

4 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of  
5 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation  
6 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$63,600,000~~  
7 \$109,020,000 in fiscal year ~~2021-22~~ 2023-24 and ~~\$66,600,000~~ \$111,260,000 in fiscal  
8 year ~~2022-23~~ 2024-25.

9 **SECTION 394.** 49.226 of the statutes is created to read:

10 **49.226 Child support debt reduction.** (1) The department shall establish  
11 a program to provide a noncustodial child support debt reduction. A noncustodial  
12 parent qualifies to receive \$1,500 in debt reduction under this section if all of the  
13 following apply:

14 (a) The noncustodial parent completes an eligible employment program, as  
15 defined by the department in rules promulgated under sub. (3).

16 (b) The custodial parent agrees to reducing child support debt owed up to the  
17 amount of the benefit paid.

18 (2) A noncustodial parent may not receive debt reduction under sub. (1) more  
19 than once in any 12-month period.

20 (3) The department shall promulgate rules to implement this section,  
21 including rules to determine how debt reduction provided under sub. (1) is  
22 apportioned among multiple child support orders.

23 **SECTION 9106. Nonstatutory provisions; Children and Families.**

24 (1k) CHILD SUPPORT DEBT REDUCTION; EMERGENCY RULEMAKING. The department  
25 of children and families may promulgate emergency rules under s. 227.24 to

1 implement s. 49.226. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the  
2 department is not required to provide evidence that promulgating a rule under this  
3 subsection as an emergency rule is necessary for the preservation of the public peace,  
4 health, safety, or welfare and is not required to provide a finding of emergency for a  
5 rule promulgated under this subsection.

6 **SECTION 9406. Effective dates; Children and Families.**

7 (1k) CHILD SUPPORT DEBT REDUCTION. The treatment of s. 49.226 takes effect on  
8 the first day of the 7th month beginning after publication.”

9 **153.** Page 374, line 11: after that line insert:

10 “**SECTION 395.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
11 insert the following amounts for the purposes indicated:

**2023-24      2024-25**

12 **20.437 Children and families, department of**

13 (1) CHILDREN AND FAMILY SERVICES

14 (bd) Tribal family services grants      GPR      A      825,000      1,100,000

15 (bn) Tribal placements      GPR      A      3,000,000      3,000,000”.

16 **154.** Page 374, line 11: after that line insert:

17 “**SECTION 396.** 16.3095 of the statutes is created to read:

18 **16.3095 Municipal home rehabilitation grants.** (1) From the  
19 appropriation under s. 20.505 (7) (d), the department shall award grants to  
20 municipalities to fund initiatives to rehabilitate and restore blighted residential  
21 properties within the municipality.

22 (2) The department may establish eligibility requirements and other program  
23 guidelines for the grant program under this section.

1           **SECTION 397.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
2           insert the following amounts for the purposes indicated:

**2023-24      2024-25**

3           **20.505 Administration, department of**

4           (7) HOUSING AND COMMUNITY DEVELOPMENT

5           (d) Municipal home rehabilitation

6           grants	GPR	B	100,000,000	-0-
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7           **SECTION 398.** 20.505 (7) (d) of the statutes is created to read:

8           20.505 (7) (d) *Municipal home rehabilitation grants.* Biennially, the amounts  
9           in the schedule for program operations and grants to municipalities under s.  
10          16.3095.”.

11          **155.** Page 374, line 11: after that line insert:

12          “**SECTION 399.** 16.3077 of the statutes is created to read:

13          **16.3077 Housing quality standards grants.** From the appropriation under  
14          s. 20.505 (7) (bp), the department shall award grants to owners of rental housing  
15          units in this state for purposes of satisfying applicable housing quality standards.

16          **SECTION 400.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
17          insert the following amounts for the purposes indicated:

**2023-24      2024-25**

18          **20.505 Administration, department of**

19          (7) HOUSING AND COMMUNITY DEVELOPMENT

20          (bp) Housing quality standards

21          grants	GPR	A	2,000,000	2,000,000
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1           **SECTION 401.** 20.505 (7) (bp) of the statutes is created to read:

2           20.505 (7) (bp) *Housing quality standards grants*. The amounts in the schedule  
3 for housing quality standards grants under s. 16.3077.”.

4           **156.** Page 374, line 11: after that line insert:

5           “**SECTION 402.** 70.11 (38v) of the statutes is created to read:

6           70.11 (38v) WISCONSIN HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY  
7 HEADQUARTERS. Land and buildings on that land owned by the Wisconsin Housing  
8 and Economic Development Authority and used exclusively as either the corporate  
9 headquarters of the Wisconsin Housing and Economic Development Authority or the  
10 parking facilities associated with those headquarters.

11           **SECTION 9337. Initial applicability; Revenue.**

12           (1k) WHEDA HEADQUARTERS. The treatment of s. 70.11 (38v) first applies to the  
13 property tax assessments as of January 1, 2023.”.

14           **157.** Page 374, line 11: after that line insert:

15           “**SECTION 403.** 231.02 (2) of the statutes is amended to read:

16           231.02 (2) The authority shall appoint an executive director and associate  
17 executive director who shall not be members of the authority and who shall serve at  
18 the pleasure of the authority. They shall receive such compensation as the authority  
19 fixes, ~~except that the compensation of the executive director shall not exceed the~~  
20 ~~maximum of the salary range established under s. 20.923 (1) for positions assigned~~  
21 ~~to executive salary group 6 and the compensation of each other employee of the~~  
22 ~~authority shall not exceed the maximum of the salary range established under s.~~  
23 ~~20.923 (1) for positions assigned to executive salary group 3.~~ The executive director  
24 or associate executive director or other person designated by resolution of the

1 authority shall keep a record of the proceedings of the authority and shall be  
2 custodian of all books, documents, and papers filed with the authority, the minute  
3 book or journal of the authority, and its official seal. The executive director or  
4 associate executive director or other person may cause copies to be made of all  
5 minutes and other records and documents of the authority and may give certificates  
6 under the official seal of the authority to the effect that such copies are true copies,  
7 and all persons dealing with the authority may rely upon such certificates.

8 **SECTION 404.** 234.02 (3) of the statutes is amended to read:

9 234.02 (3) The governor shall appoint a public member as the chairperson of  
10 the authority for a one-year term beginning on the expiration of the term of the  
11 chairperson's predecessor. The authority shall elect a vice chairperson. The  
12 governor shall nominate, and with the advice and consent of the senate appoint, the  
13 executive director of the authority, to serve a 2-year term. The authority shall  
14 employ the executive director so appointed, legal and technical experts and such  
15 other officers, agents and employees, permanent and temporary, as it may require,  
16 and shall determine their qualifications, duties and compensation, all  
17 notwithstanding subch. II of ch. 230, except that s. 230.40 shall apply, ~~and except~~  
18 ~~that the compensation of any employee of the authority shall not exceed the~~  
19 ~~maximum of the executive salary group range established under s. 20.923 (1) for~~  
20 ~~positions assigned to executive salary group 6.~~ The authority may delegate any of  
21 its powers or duties to its employees with the consent of the executive director or to  
22 its agents.”.

23 **158.** Page 374, line 11: after that line insert:

1           “**SECTION 405.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
2 insert the following amounts for the purposes indicated:

**2023-24        2024-25**

3   **20.490   Wisconsin Housing and Economic**  
4           **Development Authority**

5   (6)    WORKFORCE HOUSING

6    (a)    Workforce housing rehabilitation   GPR       C   100,000,000       -0-

7           **SECTION 406.** 20.490 (6) (a) of the statutes is created to read:

8           20.490 (6)   WORKFORCE HOUSING REHABILITATION.   (a)   *Workforce housing*  
9           *rehabilitation fund.* As a continuing appropriation, the amounts in the schedule to  
10          be transferred to the workforce housing rehabilitation fund under s. 234.043 for the  
11          purposes of that fund.

12          **SECTION 407.** 234.043 of the statutes is created to read:

13          **234.043   Workforce housing rehabilitation fund.** There is established  
14          under the jurisdiction and control of the authority, for the purpose of providing  
15          workforce housing rehabilitation loans under s. 234.045, a workforce housing  
16          rehabilitation fund. The authority may use moneys in the fund to cover actual and  
17          necessary expenses incurred to accomplish the purposes of this section and s.  
18          234.045. At its discretion, the authority may also use moneys in the fund to pay costs  
19          associated with marketing its programs and services to the public, including by use  
20          of housing navigators. The workforce housing rehabilitation fund shall consist of all  
21          of the following:

22               (1) All moneys appropriated to the authority under s. 20.490 (6) (a).

23               (2) All moneys received from the repayment of loans provided under s. 234.045.

1           **(3)** All income from the investment of moneys in the workforce housing  
2 rehabilitation fund by the authority under s. 234.03 (18). All such investments shall  
3 be the exclusive property of the fund.

4           **(4)** All moneys received by the authority for the workforce housing  
5 rehabilitation fund from any other source.

6           **SECTION 408.** 234.045 (1) (intro.) of the statutes is amended to read:

7           234.045 **(1)** DEFINITION. (intro.) In this section, “eligible rehabilitation” means  
8 an improvement to housing to maintain the housing in a decent, safe, and sanitary  
9 condition or to restore it to that condition if the improvement is the removal of lead  
10 paint or constitutes a structural or safety improvement, as determined by the  
11 authority, including any of the following:

12           **SECTION 409.** 234.045 (2) (a) (intro.) of the statutes is amended to read:

13           234.045 **(2)** (a) (intro.) From the workforce housing rehabilitation ~~loan~~ fund,  
14 the authority may make a loan to a person applying for the loan to pay for the cost  
15 of eligible rehabilitation to the applicant’s home if all of the following apply:

16           **SECTION 410.** 234.045 (2) (a) 2. of the statutes is amended to read:

17           234.045 **(2)** (a) 2. The applicant’s home is a single-family residence that serves  
18 as the primary residence of the applicant occupies and that was constructed before  
19 1980.

20           **SECTION 411.** 234.045 (2) (a) 3. of the statutes is amended to read:

21           234.045 **(2)** (a) 3. The applicant agrees to the terms of the loan, as determined  
22 by the authority. The loan terms may include a requirement to repay the loan by  
23 making monthly principal and interest payments so that the loan is fully repaid  
24 within a given term; a requirement to repay the loan, including all interest, upon the  
25 applicant selling or otherwise transferring title to the residence to another person

1 or upon the applicant and his or her family vacating the residence; and any other  
2 terms determined by the authority.

3 **SECTION 412.** 234.045 (2) (c) of the statutes is created to read:

4 234.045 (2) (c) The authority may defer the repayment or forgive the  
5 outstanding balance of any loan made under par. (a) according to criteria established  
6 by the authority.

7 **SECTION 413.** 234.53 (2) of the statutes is amended to read:

8 234.53 (2) Except as provided in sub. (2m) ~~and s. 234.045~~, the authority shall  
9 use moneys in the fund for the purpose of purchasing housing rehabilitation loans  
10 or for funding commitments for loans to lenders for housing rehabilitation loans. All  
11 disbursements of funds under this subsection for purchasing such loans shall be  
12 made payable to an authorized lender, as defined in s. 234.49 (1) (b), or a duly  
13 authorized agent thereof.

14 **SECTION 414.** 234.55 (1) of the statutes is amended to read:

15 234.55 (1) The authority shall establish the housing rehabilitation loan  
16 program bond redemption fund. All housing rehabilitation loans purchased with  
17 moneys from the housing rehabilitation loan fund or notes evidencing loans to  
18 lenders from such fund for housing rehabilitation loans shall be the exclusive  
19 property of such redemption fund. All moneys received from the repayment of such  
20 loans, any amounts transferred by the authority to such fund pursuant to s. 234.52  
21 or from other funds or sources, any federal insurance or guarantee payments with  
22 respect to such loans, all moneys resulting from the sale of bonds for the purpose of  
23 refunding outstanding housing rehabilitation bonds unless credited to the housing  
24 rehabilitation loan program capital reserve fund, any other moneys which may be  
25 available to the authority for the purpose of such fund, and all moneys received from



1 the repayment of loans provided under ~~ss. 234.045~~ and s. 234.53 (2m) shall be  
 2 deposited into such fund to be used for the repayment of housing rehabilitation bonds  
 3 issued under the authority of s. 234.50.”.

4 **159.** Page 374, line 11: after that line insert:

5 “**SECTION 415.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
 6 insert the following amounts for the purposes indicated:

			<b>2023-24</b>	<b>2024-25</b>
<b>20.437 Children and families, department of</b>				
(1) CHILDREN AND FAMILY SERVICES				
(es) Kinship care; flexible support	GPR	A	\$8,122,900	\$8,219,100
(2) ECONOMIC SUPPORT				
(c) Child care quality improvement pro-				
gram	GPR	A	\$81,389,400	\$221,719,300
(d) Child care partnership grant program	GPR	A	11,198,000	11,198,000

14 **SECTION 416.** 20.437 (1) (es) of the statutes is created to read:

15 20.437 (1) (es) *Kinship care; flexible support.* The amounts in the schedule for  
 16 flexible support for a kinship care provider under s. 48.57 (3m) (as).

17 **SECTION 417.** 20.437 (2) (d) of the statutes is created to read:

18 20.437 (2) (d) *Child care partnership grant program.* The amounts in the  
 19 schedule for the grants under s. 49.132.

20 **SECTION 418.** 20.437 (2) (c) of the statutes is created to read:

21 20.437 (2) (c) *Child care quality improvement program.* The amounts in the  
 22 schedule for the program under s. 49.133.

23 **SECTION 419.** 48.02 (12c) of the statutes is created to read:

1           48.02 (12c) “Like-kin” means a person who has a significant emotional  
2 relationship with a child or the child’s family and to whom any of the following  
3 applies:

4           (a) Prior to the child’s placement in out-of-home care, the person had an  
5 existing relationship with the child or the child’s family that is similar to a familial  
6 relationship.

7           (b) During the child’s placement in out-of-home care, the person developed a  
8 relationship with the child or the child’s family that is similar to a familial  
9 relationship, and the person is not and has not previously been the child’s licensed  
10 foster parent.

11           (c) For an Indian child, “like-kin” includes individuals identified by the child’s  
12 tribe according to tribal tradition, custom or resolution, code, or law.

13           **SECTION 420.** 48.02 (15) of the statutes is amended to read:

14           48.02 (15) “Relative” means a parent, stepparent, brother, sister, stepbrother,  
15 stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, first  
16 cousin once removed, 2nd cousin, nephew, niece, uncle, aunt, stepuncle, stepaunt, or  
17 any person of a preceding generation as denoted by the prefix of grand, great, or  
18 great-great, whether by blood, marriage, or legal adoption, or the spouse of any  
19 person named in this subsection, even if the marriage is terminated by death or  
20 divorce. For purposes of the application of s. 48.028 and the federal Indian Child  
21 Welfare Act, 25 USC 1901 to 1963, “relative” includes an extended family member,  
22 as defined in s. 48.028 (2) (am), whether by blood, marriage, or adoption, including  
23 adoption under tribal law or custom. For purposes of placement of a child, “relative”  
24 also includes a parent of a sibling of the child who has legal custody of that sibling.

25           **SECTION 421.** 48.028 (2) (e) of the statutes is amended to read:

1           48.028 (2) (e) “Out-of-home care placement” means the removal of an Indian  
2 child from the home of his or her parent or Indian custodian for temporary placement  
3 in a foster home, group home, residential care center for children and youth, or  
4 shelter care facility, in the home of a relative other than a parent, in the home of  
5 like-kin, or in the home of a guardian, from which placement the parent or Indian  
6 custodian cannot have the child returned upon demand. “Out-of-home care  
7 placement” does not include an adoptive placement, a preadoptive placement, a  
8 delegation of powers, as described in par. (d) 5., an emergency change in placement  
9 under s. 48.357 (2) (b), or holding an Indian child in custody under ss. 48.19 to 48.21.

10           **SECTION 422.** 48.028 (2) (f) of the statutes is amended to read:

11           48.028 (2) (f) “Preadoptive placement” means the temporary placement of an  
12 Indian child in a foster home, group home, or residential care center for children and  
13 youth, in the home of a relative other than a parent, in the home of like-kin, or in  
14 the home of a guardian after a termination of parental rights but prior to or in lieu  
15 of an adoptive placement. “Preadoptive placement” does not include an emergency  
16 change in placement under s. 48.437 (2).

17           **SECTION 423.** 48.207 (1) (b) of the statutes is amended to read:

18           48.207 (1) (b) The home of a relative or like-kin, except that a child may not  
19 be held under this paragraph in the home of a relative ~~if the relative~~ person who has  
20 been convicted under s. 940.01 of the first-degree intentional homicide, or under s.  
21 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the  
22 conviction has not been reversed, set aside or vacated, unless the person making the  
23 custody decision determines by clear and convincing evidence that the placement  
24 would be in the best interests of the child. The person making the custody decision  
25 shall consider the wishes of the child in making that determination.

1           **SECTION 424.** 48.207 (1) (f) of the statutes is amended to read:

2           48.207 (1) (f) The home of a person not a relative or like-kin, if the placement  
3 does not exceed 30 days, though the placement may be extended for an additional 30  
4 days for cause by the court, and if the person has not had a license under s. 48.62  
5 refused, revoked, or suspended within the last 2 years.

6           **SECTION 425.** 48.33 (4) (intro.) of the statutes is amended to read:

7           48.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending  
8 placement of an adult expectant mother outside of her home shall be in writing. A  
9 report recommending placement of a child in a foster home, group home, or  
10 residential care center for children and youth, in the home of a relative other than  
11 a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or  
12 in a supervised independent living arrangement shall be in writing and shall include  
13 all of the following:

14           **SECTION 426.** 48.335 (3g) (intro.) of the statutes is amended to read:

15           48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in  
16 s. 48.38 (1) (a), is recommending placement of the child in a foster home, group home,  
17 or residential care center for children and youth, in the home of a relative other than  
18 a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or  
19 in a supervised independent living arrangement, the agency shall present as  
20 evidence specific information showing all of the following:

21           **SECTION 427.** 48.335 (3j) (intro.) of the statutes is amended to read:

22           48.335 (3j) (intro.) At hearings under this section involving an Indian child, if  
23 the agency, as defined in s. 48.38 (1) (a), is recommending removal of the Indian child  
24 from the home of his or her parent or Indian custodian and placement of the Indian  
25 child in a foster home, group home, or residential care center for children and youth

1 or in the home of a relative other than a parent or in the home of like-kin, the agency  
2 shall present as evidence specific information showing all of the following:

3 **SECTION 428.** 48.345 (3) (a) (intro.) of the statutes is amended to read:

4 48.345 (3) (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the  
5 child, except that the judge may not designate any of the following as the child's  
6 placement, unless the judge determines by clear and convincing evidence that the  
7 placement would be in the best interests of the child or, in the case of an Indian child,  
8 the best interests of the Indian child as described in s. 48.01 (2):

9 **SECTION 429.** 48.345 (3) (a) 1. of the statutes is amended to read:

10 48.345 (3) (a) 1. The home of a parent ~~or~~, other relative, or like-kin if the parent  
11 ~~or~~, other relative, or like-kin has been convicted under s. 940.01 of the first-degree  
12 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of  
13 a parent of the child, and the conviction has not been reversed, set aside, or vacated.  
14 In determining whether a placement under this subdivision would be in the best  
15 interests of the child, the judge shall consider the wishes of the child.

16 **SECTION 430.** 48.345 (3) (a) 2. of the statutes is amended to read:

17 48.345 (3) (a) 2. The home of a relative other than the parent of a child or the  
18 home of like-kin if the judge finds that the relative or like-kin has been convicted  
19 of, has pleaded no contest to, or has had a charge dismissed or amended as a result  
20 of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03 (2) or (5)  
21 (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085,  
22 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or a similar  
23 law of another state.

24 **SECTION 431.** 48.345 (4) (a) of the statutes is amended to read:

25 48.345 (4) (a) A relative or like-kin of the child.

1           **SECTION 432.** 48.355 (4) (b) (intro.) of the statutes is amended to read:

2           48.355 (4) (b) (intro.) Except as provided under s. 48.368, an order under this  
3 section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places  
4 or continues the placement of the child in a foster home, group home, or residential  
5 care center for children and youth, in the home of a relative other than a parent, in  
6 the home of like-kin, or in a supervised independent living arrangement shall  
7 terminate on the latest of the following dates, unless the judge specifies a shorter  
8 period or the judge terminates the order sooner:

9           **SECTION 433.** 48.366 (1) (a) of the statutes is amended to read:

10           48.366 (1) (a) The person is placed in a foster home, group home, or residential  
11 care center for children and youth, in the home of a relative other than a parent, in  
12 the home of like-kin, or in a supervised independent living arrangement under an  
13 order under s. 48.355, 48.357, or 48.365 that terminates as provided in s. 48.355 (4)  
14 (b) 1., 2., or 3., 48.357 (6) (a) 1., 2., or 3., or 48.365 (5) (b) 1., 2., or 3. on or after the  
15 person attains 18 years of age.

16           **SECTION 434.** 48.371 (1) (intro.) of the statutes is amended to read:

17           48.371 (1) (intro.) If a child is placed in a foster home, group home, or  
18 residential care center for children and youth or in the home of a relative other than  
19 a parent or in the home of like-kin, including a placement under s. 48.205 or 48.21,  
20 the agency, as defined in s. 48.38 (1) (a), that placed the child or arranged for the  
21 placement of the child shall provide the following information to the foster parent,  
22 relative, like-kin, or operator of the group home or residential care center for  
23 children and youth at the time of placement or, if the information has not been  
24 provided to the agency by that time, as soon as possible after the date on which the  
25 agency receives that information, but not more than 2 working days after that date:

1           **SECTION 435.** 48.371 (1) (a) of the statutes is amended to read:

2           48.371 (1) (a) Results of an HIV test, as defined in s. 252.01 (2m), of the child,  
3 as provided under s. 252.15 (3m) (d) 15., including results included in a court report  
4 or permanency plan. At the time that the HIV test results are provided, the agency  
5 shall notify the foster parent, relative, like-kin, or operator of the group home or  
6 residential care center for children and youth of the confidentiality requirements  
7 under s. 252.15 (6).

8           **SECTION 436.** 48.371 (3) (intro.) of the statutes is amended to read:

9           48.371 (3) (intro.) At the time of placement of a child in a foster home, group  
10 home, or residential care center for children and youth or in the home of a relative  
11 other than a parent or in the home of like-kin or, if the information is not available  
12 at that time, as soon as possible after the date on which the court report or  
13 permanency plan has been submitted, but no later than 7 days after that date, the  
14 agency, as defined in s. 48.38 (1) (a), responsible for preparing the child's permanency  
15 plan shall provide to the foster parent, relative, like-kin, or operator of the group  
16 home or residential care center for children and youth information contained in the  
17 court report submitted under s. 48.33 (1), 48.365 (2g), 48.425 (1), 48.831 (2), or 48.837  
18 (4) (c) or permanency plan submitted under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5)  
19 (c), 48.63 (4) or (5) (c), or 48.831 (4) (e) relating to findings or opinions of the court or  
20 agency that prepared the court report or permanency plan relating to any of the  
21 following:

22           **SECTION 437.** 48.371 (3) (d) of the statutes is amended to read:

23           48.371 (3) (d) Any involvement of the child, whether as victim or perpetrator,  
24 in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or  
25 948.085, prostitution in violation of s. 944.30 (1m), trafficking in violation of s.

1 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, sexual exploitation of a child in violation  
2 of s. 948.05, trafficking of a child in violation of s. 948.051, or causing a child to view  
3 or listen to sexual activity in violation of s. 948.055, if the information is necessary  
4 for the care of the child or for the protection of any person living in the foster home,  
5 group home, or residential care center for children and youth or in the home of the  
6 relative or like-kin.

7 **SECTION 438.** 48.371 (5) of the statutes is amended to read:

8 48.371 (5) Except as permitted under s. 252.15 (6), a foster parent, relative,  
9 like-kin, or operator of a group home or residential care center for children and youth  
10 that receives any information under sub. (1) or (3), other than the information  
11 described in sub. (3) (e), shall keep the information confidential and may disclose that  
12 information only for the purposes of providing care for the child or participating in  
13 a court hearing or permanency review concerning the child.

14 **SECTION 439.** 48.38 (2) (intro.) of the statutes is amended to read:

15 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),  
16 for each child living in a foster home, group home, residential care center for children  
17 and youth, juvenile detention facility, shelter care facility, qualifying residential  
18 family-based treatment facility with a parent, or supervised independent living  
19 arrangement, the agency that placed the child or arranged the placement or the  
20 agency assigned primary responsibility for providing services to the child under s.  
21 48.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following  
22 conditions exists, and, for each child living in the home of a guardian ~~or~~, a relative  
23 other than a parent, or like-kin, that agency shall prepare a written permanency  
24 plan, if any of the conditions specified in pars. (a) to (e) exists:

25 **SECTION 440.** 48.38 (3m) (a) of the statutes is amended to read:



1           48.38 **(3m)** (a) All appropriate biological family members, relatives, and  
2 like-kin of the child, as determined by the agency. Notwithstanding s. 48.02 (12c)  
3 (b), in this paragraph, “like-kin” may include a person who is or previously was the  
4 child’s licensed foster parent.

5           **SECTION 441.** 48.38 (4) (f) (intro.) of the statutes is amended to read:

6           48.38 **(4)** (f) (intro.) A description of the services that will be provided to the  
7 child, the child’s family, and the child’s foster parent, the operator of the facility  
8 where the child is living, or the relative or like-kin with whom the child is living to  
9 carry out the dispositional order, including services planned to accomplish all of the  
10 following:

11           **SECTION 442.** 48.38 (4m) (b) of the statutes is amended to read:

12           48.38 **(4m)** (b) At least 10 days before the date of the hearing the court shall  
13 notify the child; any parent, guardian, and legal custodian of the child; any foster  
14 parent, or other physical custodian described in s. 48.62 (2) of the child, the operator  
15 of the facility in which the child is living, or the relative or like-kin with whom the  
16 child is living; and, if the child is an Indian child, the Indian child’s Indian custodian  
17 and tribe of the time, place, and purpose of the hearing, of the issues to be determined  
18 at the hearing, and of the fact that they shall have a right to be heard at the hearing.

19           **SECTION 443.** 48.38 (4m) (d) of the statutes is amended to read:

20           48.38 **(4m)** (d) The court shall give a foster parent, other physical custodian  
21 described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified  
22 of a hearing under par. (b) a right to be heard at the hearing by permitting the foster  
23 parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written  
24 or oral statement during the hearing, or to submit a written statement prior to the  
25 hearing, relevant to the issues to be determined at the hearing. The foster parent,

1 other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not  
2 become a party to the proceeding on which the hearing is held solely on the basis of  
3 receiving that notice and right to be heard.

4 **SECTION 444.** 48.38 (5) (b) of the statutes is amended to read:

5 48.38 (5) (b) The court or the agency shall notify the child; the child's parent,  
6 guardian, and legal custodian; the child's foster parent, the operator of the facility  
7 in which the child is living, or the relative or like-kin with whom the child is living;  
8 and, if the child is an Indian child who is placed outside the home of his or her parent  
9 or Indian custodian, the Indian child's Indian custodian and tribe of the time, place,  
10 and purpose of the review, of the issues to be determined as part of the review, and  
11 of the fact that they shall have a right to be heard at the review as provided in par.  
12 (bm) 1. The court or agency shall notify the person representing the interests of the  
13 public, the child's counsel, the child's guardian ad litem, the child's court-appointed  
14 special advocate, and the child's school of the time, place, and purpose of the review,  
15 of the issues to be determined as part of the review, and of the fact that they may have  
16 an opportunity to be heard at the review as provided in par. (bm) 1. The notices under  
17 this paragraph shall be provided in writing not less than 30 days before the review  
18 and copies of the notices shall be filed in the child's case record. The notice to the  
19 child's school shall also include the name and contact information for the caseworker  
20 or social worker assigned to the child's case.

21 **SECTION 445.** 48.38 (5) (bm) 1. of the statutes is amended to read:

22 48.38 (5) (bm) 1. A child, parent, guardian, legal custodian, foster parent,  
23 operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review  
24 under par. (b) shall have a right to be heard at the review by submitting written  
25 comments relevant to the determinations specified in par. (c) not less than 10

1 working days before the date of the review or by participating at the review. A person  
2 representing the interests of the public, counsel, guardian ad litem, court-appointed  
3 special advocate, or school who is provided notice of the review under par. (b) may  
4 have an opportunity to be heard at the review by submitting written comments  
5 relevant to the determinations specified in par. (c) not less than 10 working days  
6 before the date of the review. A foster parent, operator of a facility, ~~or~~ relative, or  
7 like-kin who receives notice of a review under par. (b) and a right to be heard under  
8 this subdivision does not become a party to the proceeding on which the review is held  
9 solely on the basis of receiving that notice and right to be heard.

10 **SECTION 446.** 48.38 (5) (e) of the statutes is amended to read:

11 48.38 (5) (e) Within 30 days, the agency shall prepare a written summary of  
12 the determinations under par. (c) and shall provide a copy to the court that entered  
13 the order; the child or the child's counsel or guardian ad litem; the person  
14 representing the interests of the public; the child's parent, guardian, or legal  
15 custodian; the child's court-appointed special advocate; the child's foster parent, the  
16 operator of the facility where the child is living, or the relative or like-kin with whom  
17 the child is living; and, if the child is an Indian child who is placed outside the home  
18 of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe.

19 **SECTION 447.** 48.38 (5m) (b) of the statutes is amended to read:

20 48.38 (5m) (b) The court shall notify the child; the child's parent, guardian, and  
21 legal custodian; and the child's foster parent, the operator of the facility in which the  
22 child is living, or the relative or like-kin with whom the child is living of the time,  
23 place, and purpose of the hearing, of the issues to be determined at the hearing, and  
24 of the fact that they shall have a right to be heard at the hearing as provided in par.  
25 (c) 1. The court shall notify the child's counsel, the child's guardian ad litem, and the

1 child's court-appointed special advocate; the agency that prepared the permanency  
2 plan; the child's school; the person representing the interests of the public; and, if the  
3 child is an Indian child who is placed outside the home of his or her parent or Indian  
4 custodian, the Indian child's Indian custodian and tribe of the time, place, and  
5 purpose of the hearing, of the issues to be determined at the hearing, and of the fact  
6 that they may have an opportunity to be heard at the hearing as provided in par. (c)  
7 1. The notices under this paragraph shall be provided in writing not less than 30  
8 days before the hearing. The notice to the child's school shall also include the name  
9 and contact information for the caseworker or social worker assigned to the child's  
10 case.

11 **SECTION 448.** 48.38 (5m) (c) 1. of the statutes is amended to read:

12 48.38 (5m) (c) 1. A child, parent, guardian, legal custodian, foster parent,  
13 operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the hearing  
14 under par. (b) shall have a right to be heard at the hearing by submitting written  
15 comments relevant to the determinations specified in sub. (5) (c) not less than 10  
16 working days before the date of the hearing or by participating at the hearing. A  
17 counsel, guardian ad litem, court-appointed special advocate, agency, school, or  
18 person representing the interests of the public who is provided notice of the hearing  
19 under par. (b) may have an opportunity to be heard at the hearing by submitting  
20 written comments relevant to the determinations specified in sub. (5) (c) not less  
21 than 10 working days before the date of the hearing or by participating at the  
22 hearing. A foster parent, operator of a facility, ~~or~~ relative, or like-kin who receives  
23 notice of a hearing under par. (b) and a right to be heard under this subdivision does  
24 not become a party to the proceeding on which the hearing is held solely on the basis  
25 of receiving that notice and right to be heard.

1           **SECTION 449.** 48.38 (5m) (e) of the statutes is amended to read:

2           48.38 **(5m)** (e) After the hearing, the court shall make written findings of fact  
3 and conclusions of law relating to the determinations under sub. (5) (c) and shall  
4 provide a copy of those findings of fact and conclusions of law to the child; the child's  
5 parent, guardian, and legal custodian; the child's foster parent, the operator of the  
6 facility in which the child is living, or the relative or like-kin with whom the child  
7 is living; the child's court-appointed special advocate; the agency that prepared the  
8 permanency plan; the person representing the interests of the public; and, if the child  
9 is an Indian child who is placed outside the home of his or her parent or Indian  
10 custodian, the Indian child's Indian custodian and tribe. The court shall make the  
11 findings specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances  
12 specific to the child and shall document or reference the specific information on  
13 which those findings are based in the findings of fact and conclusions of law prepared  
14 under this paragraph. Findings of fact and conclusions of law that merely reference  
15 sub. (5) (c) 7. without documenting or referencing that specific information in the  
16 findings of fact and conclusions of law or amended findings of fact and conclusions  
17 of law that retroactively correct earlier findings of fact and conclusions of law that  
18 do not comply with this paragraph are not sufficient to comply with this paragraph.

19           **SECTION 450.** 48.385 (intro.) of the statutes is amended to read:

20           **48.385 Plan for transition to independent living.** (intro.) During the 90  
21 days immediately before a child who is placed in a foster home, group home, or  
22 residential care center for children and youth, in the home of a relative other than  
23 a parent, in the home of like-kin, or in a supervised independent living arrangement  
24 attains 18 years of age or, if the child is placed in such a placement under an order  
25 under s. 48.355, 48.357, or 48.365 that terminates under s. 48.355 (4) (b) after the

1 child attains 18 years of age or under a voluntary transition-to-independent-living  
2 agreement under s. 48.366 (3) that terminates under s. 48.366 (3) (a) after the child  
3 attains 18 years of age, during the 90 days immediately before the termination of the  
4 order or agreement, the agency primarily responsible for providing services to the  
5 child under the order or agreement shall do all of the following:

6 **SECTION 451.** 48.40 (1m) of the statutes is amended to read:

7 48.40 (1m) “Kinship care ~~relative~~” provider” means a person receiving  
8 payments under s. 48.57 (3m) (am) for providing care and maintenance for a child.

9 **SECTION 452.** 48.427 (3m) (a) 5. of the statutes is amended to read:

10 48.427 (3m) (a) 5. A relative with whom the child resides, if the relative has  
11 filed a petition to adopt the child or if the relative is a kinship care ~~relative~~ provider  
12 or is receiving payments under s. 48.62 (4) for providing care and maintenance for  
13 the child.

14 **SECTION 453.** 48.43 (5) (b) 1. of the statutes is amended to read:

15 48.43 (5) (b) 1. The court shall hold a hearing to review the permanency plan  
16 within 30 days after receiving a report under par. (a). At least 10 days before the date  
17 of the hearing, the court shall provide notice of the time, place, and purpose of the  
18 hearing to the agency that prepared the report, the child’s guardian, the child, and  
19 the child’s foster parent, the operator of the facility in which the child is living, or the  
20 relative or like-kin with whom the child is living.

21 **SECTION 454.** 48.43 (5) (b) 3. of the statutes is amended to read:

22 48.43 (5) (b) 3. The court shall give a foster parent, operator of a facility, or  
23 relative or like-kin who is notified of a hearing under subd. 1. a right to be heard at  
24 the hearing by permitting the foster parent, operator, or relative or like-kin to make  
25 a written or oral statement during the hearing, or to submit a written statement

1 prior to the hearing, relevant to the issues to be determined at the hearing. The foster  
2 parent, operator of a facility, or relative or like-kin does not become a party to the  
3 proceeding on which the hearing is held solely on the basis of receiving that notice  
4 and right to be heard.

5 **SECTION 455.** 48.43 (5m) of the statutes is amended to read:

6 48.43 (5m) Either the court or the agency that prepared the permanency plan  
7 shall furnish a copy of the original plan and each revised plan to the child, if he or  
8 she is 12 years of age or over, to the child's guardian, to the child's foster parent, the  
9 operator of the facility in which the child is living, or the relative or like-kin with  
10 whom the child is living, and, if the order under sub. (1) involuntarily terminated  
11 parental rights to an Indian child, to the Indian child's tribe.

12 **SECTION 456.** 48.57 (3m) (a) 1. b. of the statutes is amended to read:

13 48.57 (3m) (a) 1. b. The person is under 21 years of age, the person is a full-time  
14 student in good academic standing at a secondary school or its vocational or technical  
15 equivalent, an individualized education program under s. 115.787 is in effect for the  
16 person, and the person is placed in the home of the kinship care relative provider  
17 under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that  
18 terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years  
19 of age or under a voluntary transition-to-independent-living agreement under s.  
20 48.366 (3) or 938.366 (3).

21 **SECTION 457.** 48.57 (3m) (a) 2. of the statutes is amended to read:

22 48.57 (3m) (a) 2. "Kinship care ~~relative~~ provider" means a relative other than  
23 a parent, an extended family member, as defined in s. 48.028 (2) (am), or like-kin.

24 **SECTION 458.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

1           48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),  
2 (me), and (s), the department shall reimburse counties having populations of less  
3 than 750,000 for payments made under this subsection and shall make payments  
4 under this subsection in a county having a population of 750,000 or more. Subject  
5 to par. (ap), a county department and, in a county having a population of 750,000 or  
6 more, the department shall make payments in the amount of \$300 per month  
7 beginning on January 1, 2022, to a kinship care relative provider who is providing  
8 care and maintenance for a child if all of the following conditions are met:

9           **SECTION 43q.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

10           48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),  
11 (me), and (s), the department shall reimburse counties having populations of less  
12 than 750,000 for payments made under this subsection and shall make payments  
13 under this subsection in a county having a population of 750,000 or more. Subject  
14 to par. (ap), and if all of the following conditions are met, beginning on January 1,  
15 2024, a county department and, in a county having a population of 750,000 or more,  
16 the department shall make monthly payments to a kinship care provider who is  
17 providing care and maintenance for a child in the amount of \$300 ~~per month~~  
18 ~~beginning on January 1, 2022,~~ to a kinship care relative who is providing care and  
19 ~~maintenance for a child if all of the following conditions are met~~ \$441 for a child  
20 under 5 years of age; \$483 for a child 5 to 11 years of age; \$548 for a child 12 to 14  
21 years of age; and \$572 for a child 15 years of age or over:

22           **SECTION 459.** 48.57 (3m) (am) 1. of the statutes is amended to read:

23           48.57 (3m) (am) 1. The kinship care relative provider applies to the county  
24 department or department for payments under this subsection and, if the child is  
25 placed in the home of the kinship care relative provider under a court order, other



1 than a court order under s. 48.9795 or ch. 54, 2017 stats., for a license to operate a  
2 foster home.

3 **SECTION 460.** 48.57 (3m) (am) 1m. of the statutes is amended to read:

4 48.57 **(3m)** (am) 1m. The county department or department determines that  
5 there is a need for the child to be placed with the kinship care relative provider and  
6 that the placement with the kinship care relative provider is in the best interests of  
7 the child.

8 **SECTION 461.** 48.57 (3m) (am) 4. of the statutes is amended to read:

9 48.57 **(3m)** (am) 4. The county department or department conducts a  
10 background investigation under sub. (3p) of the kinship care relative provider, any  
11 employee and prospective employee of the kinship care relative provider who has or  
12 would have regular contact with the child for whom the payments would be made and  
13 any other adult resident of the kinship care relative's provider's home to determine  
14 if the kinship care relative provider, employee, prospective employee or adult  
15 resident has any arrests or convictions that could adversely affect the child or the  
16 kinship care relative's provider's ability to care for the child.

17 **SECTION 462.** 48.57 (3m) (am) 4m. of the statutes is amended to read:

18 48.57 **(3m)** (am) 4m. Subject to sub. (3p) (fm) 1. and 2., the kinship care relative  
19 provider states that he or she does not have any arrests or convictions that could  
20 adversely affect the child or the kinship care relative's provider's ability to care for  
21 the child and that no adult resident, as defined in sub. (3p) (a), and no employee or  
22 prospective employee of the kinship care relative provider who would have regular  
23 contact with the child has any arrests or convictions that could adversely affect the  
24 child or the kinship care relative's provider's ability to care for the child.

25 **SECTION 463.** 48.57 (3m) (am) 5. of the statutes is amended to read:

1           48.57 **(3m)** (am) 5. The kinship care relative provider cooperates with the  
2 county department or department in the application process, including applying for  
3 other forms of assistance for which the child may be eligible.

4           **SECTION 464.** 48.57 (3m) (am) 5m. of the statutes is amended to read:

5           48.57 **(3m)** (am) 5m. The kinship care relative provider is not receiving  
6 payments under sub. (3n) with respect to the child.

7           **SECTION 465.** 48.57 (3m) (am) 6. of the statutes is amended to read:

8           48.57 **(3m)** (am) 6. The child for whom the kinship care relative provider is  
9 providing care and maintenance is not receiving supplemental security income  
10 under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

11          **SECTION 466.** 48.57 (3m) (an) of the statutes is created to read:

12          48.57 **(3m)** (an) In addition to the monthly payments for kinship care under  
13 par. (am), the department or, with the department's approval, the county department  
14 may make payments for exceptional circumstances to enable siblings or a minor  
15 parent and minor children to reside together and for initial clothing allowances to  
16 a kinship care provider who is providing care and maintenance for a child residing  
17 in the home of the kinship care provider who is receiving a monthly rate under par.  
18 (am), commensurate with the needs of the child, according to the rules promulgated  
19 by the department under par. (i) 3.

20          **SECTION 467.** 48.57 (3m) (ar) and (at) of the statutes are created to read:

21          48.57 **(3m)** (ar) In addition to the monthly payments for kinship care under par.  
22 (ap), the department or, with the department's approval, the county department may  
23 make emergency payments for kinship care to a kinship care provider who is  
24 providing care and maintenance for a child residing in the home of the kinship care  
25 provider under a court order if any of the following conditions are met:

1           1. The governor has declared a state of emergency pursuant to s. 323.10, or the  
2 federal government has declared a major disaster under 42 USC 68, that covers the  
3 locality of the home of the kinship care provider.

4           2. This state has received federal funding to be used for child welfare purposes  
5 due to an emergency or disaster declared for the locality of the home of the kinship  
6 care provider.

7           3. The department has determined that conditions in this state or in the locality  
8 of the home of the kinship care provider have resulted in a temporary increase in the  
9 costs borne by kinship care providers. Those conditions may include any of the  
10 following:

11           a. A pandemic or other public health threat.

12           b. A natural disaster.

13           c. Unplanned school closures of 5 consecutive days or more.

14           (at) The department shall determine the amount of emergency payments under  
15 par. (ar) based on available funding.

16           **SECTION 468.** 48.57 (3m) (ap) 1. of the statutes is amended to read:

17           48.57 **(3m)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a  
18 county having a population of 750,000 or more, the department may make payments  
19 under par. (am) to a kinship care ~~relative~~ provider who is providing care and  
20 maintenance for a child who is placed in the home of the kinship care ~~relative~~  
21 provider under a court order for no more than 60 days after the date on which the  
22 county department or department received under par. (am) 1. the completed  
23 application of the kinship care ~~relative~~ provider for a license to operate a foster home  
24 or, if the application is approved or denied or the kinship care ~~relative~~ provider is  
25 otherwise determined to be ineligible for licensure within those 60 days, until the

1 date on which the application is approved or denied or the kinship care ~~relative~~  
2 provider is otherwise determined to be ineligible for licensure.

3 **SECTION 469.** 48.57 (3m) (ap) 2. of the statutes is amended to read:

4 48.57 **(3m)** (ap) 2. If the application specified in subd. 1. is not approved or  
5 denied or the kinship care ~~relative~~ provider is not otherwise determined to be  
6 ineligible for licensure within 60 days after the date on which the county department  
7 or department received the completed application for any reason other than an act  
8 or omission of the kinship care ~~relative~~ provider, the county department or  
9 department may make payments under par. (am) for 4 months after the date on  
10 which the county department or department received the completed application or,  
11 if the application is approved or denied or the kinship care ~~relative~~ provider is  
12 otherwise determined to be ineligible for licensure within those 4 months, until the  
13 date on which the application is approved or denied or the kinship care ~~relative~~  
14 provider is otherwise determined to be ineligible for licensure.

15 **SECTION 470.** 48.57 (3m) (ap) 3. of the statutes is amended to read:

16 48.57 **(3m)** (ap) 3. Notwithstanding that an application of a kinship care  
17 ~~relative~~ provider specified in subd. 1. is denied or the kinship care ~~relative~~ provider  
18 is otherwise determined to be ineligible for licensure, the county department or, in  
19 a county having a population of 750,000 or more, the department may make  
20 payments under par. (am) to the kinship care ~~relative~~ provider for as long as the  
21 conditions specified in par. (am) 1. to 6. continue to apply if the county department  
22 or department submits to the court information relating to the background  
23 investigation specified in par. (am) 4., an assessment of the safety of the kinship care  
24 ~~relative's~~ provider's home and the ability of the kinship care ~~relative~~ provider to care  
25 for the child, and a recommendation that the child remain in the home of the kinship

1 care ~~relative~~ provider and the court, after considering that information, assessment,  
2 and recommendation, orders the child to remain in the kinship care ~~relative's~~  
3 provider's home. If the court does not order the child to remain in the kinship care  
4 ~~relative's~~ provider's home, the court shall order the county department or  
5 department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1)  
6 (am). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request  
7 a change in placement.

8 **SECTION 471.** 48.57 (3m) (as) of the statutes is created to read:

9 48.57 (3m) (as) From the appropriation under s. 20.437 (1) (es), a county  
10 department and, in a county having a population of 750,000 or more, the department  
11 may provide flexible support, in the form of additional payments or services, to a  
12 kinship care provider who qualifies under rules promulgated by the department  
13 under par. (i) 3.

14 **SECTION 472.** 48.57 (3m) (b) 2. of the statutes is amended to read:

15 48.57 (3m) (b) 2. When any kinship care ~~relative~~ provider of a child applies for  
16 or receives payments under this subsection, any right of the child or the child's parent  
17 to support or maintenance from any other person accruing during the time that  
18 payments are made under this subsection is assigned to the state. If a child who is  
19 the beneficiary of a payment under this subsection is also the beneficiary of support  
20 under a judgment or order that includes support for one or more children who are not  
21 the beneficiaries of payments under this subsection, any support payment made  
22 under the judgment or order is assigned to the state in the amount that is the  
23 proportionate share of the child who is the beneficiary of the payment made under  
24 this subsection, except as otherwise ordered by the court on the motion of a party.

25 **SECTION 473.** 48.57 (3m) (cm) of the statutes is amended to read:

1           48.57 (3m) (cm) A kinship care ~~relative~~ provider who receives a payment under  
2 par. (am) for providing care and maintenance for a child is not eligible to receive a  
3 payment under sub. (3n) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

4           **SECTION 474.** 48.57 (3m) (h) of the statutes is amended to read:

5           48.57 (3m) (h) A county department or, in a county having a population of  
6 750,000 or more, the department may recover an overpayment made under par. (am)  
7 from a kinship care ~~relative~~ provider who continues to receive payments under par.  
8 (am) by reducing the amount of the kinship care ~~relative's~~ provider's monthly  
9 payment. The department may by rule specify other methods for recovering  
10 overpayments made under par. (am). A county department that recovers an  
11 overpayment under this paragraph due to the efforts of its officers and employees  
12 may retain a portion of the amount recovered, as provided by the department by rule.

13           **SECTION 475.** 48.57 (3m) (i) 1. of the statutes is amended to read:

14           48.57 (3m) (i) 1. Rules to provide assessment criteria for determining whether  
15 a kinship care ~~relative~~ provider who is providing care and maintenance for a child  
16 is eligible to receive payments under par. (am). The rules shall also provide that any  
17 criteria established under the rules shall first apply to applications for payments  
18 under par. (am) received, and to reviews under par. (d) conducted, on the effective  
19 date of those rules.

20           **SECTION 476.** 48.57 (3m) (i) 3. of the statutes is created to read:

21           48.57 (3m) (i) 3. Rules governing the provision of flexible support under par.  
22 (as). Rules promulgated under this subdivision may specify qualifying costs and  
23 services and eligibility criteria.

24           **SECTION 477.** 48.57 (3m) (i) 4. of the statutes is created to read:

1           48.57 (3m) (i) 4. Rules governing the provision of payments for exceptional  
2           circumstances to enable siblings or a minor parent and minor children to reside  
3           together and for initial clothing allowances for a child residing in the home of a  
4           kinship care provider who is receiving a monthly rate under par. (am).

5           **SECTION 478.** 48.57 (3m) (j) of the statutes is created to read:

6           48.57 (3m) (j) The department may promulgate rules governing the provision  
7           of emergency payments under par. (ar).

8           **SECTION 479.** 48.57 (3n) (a) 1. b. of the statutes is amended to read:

9           48.57 (3n) (a) 1. b. The person is under 21 years of age, the person is a full-time  
10          student in good academic standing at a secondary school or its vocational or technical  
11          equivalent, an individualized education program under s. 115.787 is in effect for the  
12          person, and the person is placed in the home of the long-term kinship care relative  
13          provider under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365  
14          that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains  
15          18 years of age or under a voluntary transition-to-independent-living agreement  
16          under s. 48.366 (3) or 938.366 (3).

17          **SECTION 480.** 48.57 (3n) (a) 2. of the statutes is amended to read:

18          48.57 (3n) (a) 2. “Long-term kinship care relative provider” means a relative  
19          other than a parent, an extended family member, as defined in s. 48.028 (2) (am), or  
20          like-kin.

21          **SECTION 481.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

22          48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),  
23          (me), and (s), the department shall reimburse counties having populations of less  
24          than 750,000 for payments made under this subsection and shall make payments  
25          under this subsection in a county having a population of 750,000 or more. Subject

1 to par. (ap), a county department and, in a county having a population of 750,000 or  
2 more, the department shall make monthly payments for each child in the amount of  
3 \$300 per month beginning on January 1, 2022, to a long-term kinship care relative  
4 provider who is providing care and maintenance for that child if all of the following  
5 conditions are met:

6 **SECTION 66q.** 48.57 (3n) (am) (intro.) of the statutes, as affected by 2023  
7 Wisconsin Act .... (this act), is amended to read:

8 48.57 **(3n)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),  
9 (me), and (s), the department shall reimburse counties having populations of less  
10 than 750,000 for payments made under this subsection and shall make payments  
11 under this subsection in a county having a population of 750,000 or more. Subject  
12 to par. (ap) and if all of the following conditions are met, beginning on January 1,  
13 2024, a county department and, in a county having a population of 750,000 or more,  
14 the department shall make monthly payments to a long-term kinship care provider  
15 who is providing care and maintenance for each a child in the amount of \$300 per  
16 month beginning on January 1, 2022, to a long-term kinship care provider who is  
17 providing care and maintenance for that child if all of the following conditions are  
18 met \$441 for a child under 5 years of age; \$483 for a child 5 to 11 years of age; \$548  
19 for a child 12 to 14 years of age; and \$572 for a child 15 years of age or over:

20 **SECTION 482.** 48.57 (3n) (am) 1. of the statutes is amended to read:

21 48.57 **(3n)** (am) 1. The long-term kinship care relative provider applies to the  
22 county department or department for payments under this subsection, provides  
23 proof that he or she has been appointed as the guardian of the child, and, if the child  
24 is placed in the home of the long-term kinship care relative provider under a court



1 order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., applies to the  
2 county department or department for a license to operate a foster home.

3 **SECTION 483.** 48.57 (3n) (am) 2. of the statutes is amended to read:

4 48.57 **(3n)** (am) 2. The county department or department inspects the  
5 long-term kinship care ~~relative's~~ provider's home, interviews the long-term kinship  
6 care ~~relative~~ provider and determines that long-term placement with the long-term  
7 kinship care ~~relative~~ provider is in the best interests of the child.

8 **SECTION 484.** 48.57 (3n) (am) 4. of the statutes is amended to read:

9 48.57 **(3n)** (am) 4. The county department or department conducts a  
10 background investigation under sub. (3p) of the long-term kinship care ~~relative~~  
11 provider, the employees and prospective employees of the long-term kinship care  
12 ~~relative~~ provider who have or would have regular contact with the child for whom the  
13 payments would be made and any other adult resident, as defined in sub. (3p) (a),  
14 of the long-term kinship care ~~relative's~~ provider's home to determine if the  
15 long-term kinship care ~~relative~~ provider, employee, prospective employee or adult  
16 resident has any arrests or convictions that are likely to adversely affect the child or  
17 the long-term kinship care ~~relative's~~ provider's ability to care for the child.

18 **SECTION 485.** 48.57 (3n) (am) 4m. of the statutes is amended to read:

19 48.57 **(3n)** (am) 4m. Subject to sub. (3p) (fm) 1m. and 2m., the long-term  
20 kinship care ~~relative~~ provider states that he or she does not have any arrests or  
21 convictions that could adversely affect the child or the long-term kinship care  
22 ~~relative's~~ provider's ability to care for the child and that, to the best of the long-term  
23 kinship care ~~relative's~~ provider's knowledge, no adult resident, as defined in sub. (3p)  
24 (a), and no employee or prospective employee of the long-term kinship care ~~relative~~  
25 provider who would have regular contact with the child has any arrests or

1 convictions that could adversely affect the child or the long-term kinship care  
2 relative's provider's ability to care for the child.

3 **SECTION 486.** 48.57 (3n) (am) 5. of the statutes is amended to read:

4 48.57 (3n) (am) 5. The long-term kinship care relative provider cooperates  
5 with the county department or department in the application process, including  
6 applying for other forms of assistance for which the child may be eligible.

7 **SECTION 487.** 48.57 (3n) (am) 5m. of the statutes is amended to read:

8 48.57 (3n) (am) 5m. The long-term kinship care relative provider is not  
9 receiving payments under sub. (3m) with respect to the child.

10 **SECTION 488.** 48.57 (3n) (am) 5r. of the statutes is amended to read:

11 48.57 (3n) (am) 5r. The child for whom the long-term kinship care relative  
12 provider is providing care and maintenance is not receiving supplemental security  
13 income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

14 **SECTION 489.** 48.57 (3n) (am) 6. (intro.) of the statutes is amended to read:

15 48.57 (3n) (am) 6. (intro.) The long-term kinship care relative provider and the  
16 county department or department enter into a written agreement under which the  
17 long-term kinship care relative provider agrees to provide care and maintenance for  
18 the child and the county department or department agrees, subject to sub. (3p) (hm),  
19 to make monthly payments to the long-term kinship care relative provider at the  
20 rate specified in sub. (3m) (am) (intro.) until the earliest of the following:

21 **SECTION 490.** 48.57 (3n) (am) 6. c. of the statutes is amended to read:

22 48.57 (3n) (am) 6. c. The date on which the child is placed outside the long-term  
23 kinship care relative's provider's home under a court order or under a voluntary  
24 agreement under s. 48.63 (1) (a) or (b) or (5) (b).

25 **SECTION 491.** 48.57 (3n) (am) 6. d. of the statutes is amended to read:

1           48.57 (3n) (am) 6. d. The date on which the child ceases to reside with the  
2 long-term kinship care relative provider.

3           **SECTION 492.** 48.57 (3n) (am) 6. e. of the statutes is amended to read:

4           48.57 (3n) (am) 6. e. The date on which the long-term kinship care's care  
5 provider's guardianship under s. 48.977 terminates.

6           **SECTION 493.** 48.57 (3n) (an) of the statutes is created to read:

7           48.57 (3n) (an) In addition to the monthly payments for long-term kinship care  
8 under par. (am), the department or, with the department's approval, the county  
9 department may make payments for exceptional circumstances to enable siblings or  
10 a minor parent and minor children to reside together and for initial clothing  
11 allowances to a long-term kinship care provider who is providing care and  
12 maintenance for a child residing in the home of the long-term kinship care provider  
13 who is receiving a monthly rate under par. (am), commensurate with the needs of the  
14 child, according to the rules promulgated by the department under par. (i) 2.

15           **SECTION 494.** 48.57 (3n) (ap) 1. of the statutes is amended to read:

16           48.57 (3n) (ap) 1. Subject to subds. 2. and 3., the county department or, in a  
17 county having a population of 750,000 or more, the department may make payments  
18 under par. (am) to a long-term kinship care relative provider who is providing care  
19 and maintenance for a child who is placed in the home of the long-term kinship care  
20 relative provider for no more than 60 days after the date on which the county  
21 department or department received under par. (am) 1. the completed application of  
22 the long-term kinship care relative provider for a license to operate a foster home or,  
23 if the application is approved or denied or the long-term kinship care relative  
24 provider is otherwise determined to be ineligible for licensure within those 60 days,

1 until the date on which the application is approved or denied or the long-term  
2 kinship care relative provider is otherwise determined to be ineligible for licensure.

3 **SECTION 495.** 48.57 (3n) (ap) 2. of the statutes is amended to read:

4 48.57 **(3n)** (ap) 2. If the application specified in subd. 1. is not approved or  
5 denied or the long-term kinship care relative provider is not otherwise determined  
6 to be ineligible for licensure within 60 days after the date on which the county  
7 department or department received the completed application for any reason other  
8 than an act or omission of the long-term kinship care relative provider, the county  
9 department or department may make payments under par. (am) for 4 months after  
10 the date on which the county department or department received the completed  
11 application or, if the application is approved or denied or the long-term kinship care  
12 relative provider is otherwise determined to be ineligible for licensure within those  
13 4 months, until the date on which the application is approved or denied or the  
14 long-term kinship care relative provider is otherwise determined to be ineligible for  
15 licensure.

16 **SECTION 496.** 48.57 (3n) (ap) 3. of the statutes is amended to read:

17 48.57 **(3n)** (ap) 3. Notwithstanding that an application of a long-term kinship  
18 care relative provider specified in subd. 1. is denied or the long-term kinship care  
19 relative provider is otherwise determined to be ineligible for licensure, the county  
20 department or, in a county having a population of 750,000 or more, the department  
21 may make payments under par. (am) to the long-term kinship care relative provider  
22 until an event specified in par. (am) 6. a. to f. occurs if the county department or  
23 department submits to the court information relating to the background  
24 investigation specified in par. (am) 4., an assessment of the safety of the long-term  
25 kinship care relative's provider's home and the ability of the long-term kinship care

1 relative provider to care for the child, and a recommendation that the child remain  
2 in the home of the long-term kinship care relative provider and the court, after  
3 considering that information, assessment, and recommendation, orders the child to  
4 remain in the long-term kinship care relative's provider's home. If the court does not  
5 order the child to remain in the kinship care relative's provider's home, the court  
6 shall order the county department or department to request a change in placement  
7 under s. 48.357 (1) (am) or 938.357 (1) (am) or to request a termination of the  
8 guardianship order under s. 48.977 (7). Any person specified in s. 48.357 (2m) (a) or  
9 938.357 (2m) (a) may also request a change in placement and any person who is  
10 authorized to file a petition for the appointment of a guardian for the child may also  
11 request a termination of the guardianship order.

12 **SECTION 497.** 48.57 (3n) (b) 2. of the statutes is amended to read:

13 48.57 (3n) (b) 2. When any long-term kinship care relative provider of a child  
14 applies for or receives payments under this subsection, any right of the child or the  
15 child's parent to support or maintenance from any other person accruing during the  
16 time that payments are made under this subsection is assigned to the state. If a child  
17 is the beneficiary of support under a judgment or order that includes support for one  
18 or more children who are not the beneficiaries of payments under this subsection,  
19 any support payment made under the judgment or order is assigned to the state in  
20 the amount that is the proportionate share of the child who is the beneficiary of the  
21 payment made under this subsection, except as otherwise ordered by the court on the  
22 motion of a party.

23 **SECTION 498.** 48.57 (3n) (cm) of the statutes is amended to read:

1           48.57 (3n) (cm) A long-term kinship care relative provider who receives a  
2 payment under par. (am) for providing care and maintenance for a child is not eligible  
3 to receive a payment under sub. (3m) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

4           **SECTION 499.** 48.57 (3n) (h) of the statutes is amended to read:

5           48.57 (3n) (h) A county department or, in a county having a population of  
6 750,000 or more, the department may recover an overpayment made under par. (am)  
7 from a long-term kinship care relative provider who continues to receive payments  
8 under par. (am) by reducing the amount of the long-term kinship care relative's  
9 provider's monthly payment. The department may by rule specify other methods for  
10 recovering overpayments made under par. (am). A county department that recovers  
11 an overpayment under this paragraph due to the efforts of its officers and employees  
12 may retain a portion of the amount recovered, as provided by the department by rule.

13           **SECTION 500.** 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

14           48.57 (3p) (h) 3. (intro.) The director of the county department, the person  
15 designated by the governing body of an Indian tribe or, in a county having a  
16 population of 750,000 or more, the person designated by the secretary shall review  
17 the denial of payments or the prohibition on employment or being an adult resident  
18 to determine if the conviction record on which the denial or prohibition is based  
19 includes any arrests, convictions, or penalties that are likely to adversely affect the  
20 child or the ability of the kinship care relative provider to care for the child. In  
21 reviewing the denial or prohibition, the director of the county department, the person  
22 designated by the governing body of the Indian tribe or the person designated by the  
23 secretary shall consider all of the following factors:

24           **SECTION 501.** 48.57 (3p) (h) 3. b. of the statutes is amended to read:

1           48.57 (3p) (h) 3. b. The nature of the violation or penalty and how that violation  
2 or penalty affects the ability of the kinship care ~~relative~~ provider to care for the child.

3           **SECTION 502.** 48.57 (3p) (h) 4. of the statutes is amended to read:

4           48.57 (3p) (h) 4. If the director of the county department, the person designated  
5 by the governing body of the Indian tribe or, in a county having a population of  
6 750,000 or more, the person designated by the secretary determines that the  
7 conviction record on which the denial of payments or the prohibition on employment  
8 or being an adult resident is based does not include any arrests, convictions, or  
9 penalties that are likely to adversely affect the child or the ability of the kinship care  
10 ~~relative~~ provider to care for the child, the director of the county department, the  
11 person designated by the governing body of the Indian tribe, or the person designated  
12 by the secretary may approve the making of payments under sub. (3m) or may permit  
13 a person receiving payments under sub. (3m) to employ a person in a position in  
14 which that person would have regular contact with the child for whom payments are  
15 being made or permit a person to be an adult resident.

16           **SECTION 503.** 48.57 (3n) (i) of the statutes is renumbered 48.57 (3n) (i) (intro.)  
17 and amended to read:

18           48.57 (3n) (i) (intro.) The department shall promulgate rules to implement this  
19 subsection. Those rules shall include ~~rules~~ all of the following:

20           1. Rules governing the provision of long-term kinship care payments for the  
21 care and maintenance of a child after the child attains 18 years of age.

22           **SECTION 504.** 48.57 (3n) (i) 2. of the statutes is created to read:

23           48.57 (3n) (i) 2. Rules governing the provision of payments for exceptional  
24 circumstances to enable siblings or a minor parent and minor children to reside

1 together and for initial clothing allowances for children residing in a home of a  
2 long-term kinship care provider who is receiving a monthly rate under par. (am).

3 **SECTION 505.** 48.60 (2) (a) of the statutes is amended to read:

4 48.60 (2) (a) A relative or like-kin, guardian, or person delegated care and  
5 custody of a child under s. 48.979 who provides care and maintenance for such  
6 children.

7 **SECTION 506.** 48.62 (2) of the statutes is amended to read:

8 48.62 (2) A relative or like-kin, a guardian of a child, or a person delegated care  
9 and custody of a child under s. 48.979 who provides care and maintenance for the  
10 child is not required to obtain the license specified in this section. The department,  
11 county department, or licensed child welfare agency as provided in s. 48.75 may issue  
12 a license to operate a foster home to a relative or like-kin who has no duty of support  
13 under s. 49.90 (1) (a) and who requests a license to operate a foster home for a specific  
14 child who is either placed by court order or who is the subject of a voluntary  
15 placement agreement under s. 48.63. The department, a county department, or a  
16 licensed child welfare agency may, at the request of a guardian appointed under s.  
17 48.977, 48.978, or 48.9795, ch. 54, 2017 stats., or ch. 880, 2003 stats., license the  
18 guardian's home as a foster home for the guardian's minor ward who is living in the  
19 home and who is placed in the home by court order. Relatives and like-kin with no  
20 duty of support and guardians appointed under s. 48.977, 48.978, or 48.9795, ch. 54,  
21 2017 stats., or ch. 880, 2003 stats., who are licensed to operate foster homes are  
22 subject to the department's licensing rules.

23 **SECTION 507.** 48.62 (4) of the statutes is amended to read:

24 48.62 (4) Monthly payments in foster care shall be provided according to the  
25 rates specified in this subsection. Beginning on January 1, 2022, the rates are \$300



1 ~~for care and maintenance provided for a child of any age by a foster home that is~~  
2 ~~certified to provide level one care, as defined in the rules promulgated under sub. (8)~~  
3 ~~(a) and 2024~~, for care and maintenance provided by a foster home that is certified to  
4 provide care at a any level of care that is higher than level one care, \$420 \$441 for  
5 a child under 5 years of age; \$460 \$483 for a child 5 to 11 years of age; \$522 \$548 for  
6 a child 12 to 14 years of age; and \$545 \$572 for a child 15 years of age or over. In  
7 addition to these grants for basic maintenance, the department, county department,  
8 or licensed child welfare agency shall make supplemental payments for foster care  
9 to a foster home that is receiving an age-related rate under this subsection that are  
10 commensurate with the level of care that the foster home is certified to provide and  
11 the needs of the child who is placed in the foster home according to the rules  
12 promulgated by the department under sub. (8) (c).

13 **SECTION 508.** 48.64 (1) of the statutes is amended to read:

14 48.64 (1) DEFINITION. In this section, “agency” means the department, the  
15 department of corrections, a county department under s. 46.215, 46.22, or 46.23, or  
16 a licensed child welfare agency authorized to place children in foster homes, group  
17 homes, or shelter care facilities approved under s. 938.22 (2) (c) ~~or~~, in the homes of  
18 relatives other than a parent, or in the homes of like-kin.

19 **SECTION 509.** 48.64 (1m) of the statutes is amended to read:

20 48.64 (1m) OUT-OF-HOME CARE AGREEMENTS. If an agency places a child in a  
21 foster home or group home or in the home of a relative other than a parent or in the  
22 home of like-kin under a court order or places a child in a foster home, group home,  
23 or shelter care facility approved under s. 938.22 (2) (c) under a voluntary agreement  
24 under s. 48.63, the agency shall enter into a written agreement with the head of the  
25 home or facility. The agreement shall provide that the agency shall have access at

1 all times to the child and the home or facility, and that the child will be released to  
2 the agency whenever, in the opinion of the agency placing the child or the  
3 department, the best interests of the child require release to the agency. If a child  
4 has been in a foster home or group home or in the home of a relative other than a  
5 parent or in the home of like-kin for 6 months or more, the agency shall give the head  
6 of the home written notice of intent to remove the child, stating the reasons for the  
7 removal. The child may not be removed from a foster home, group home, or home of  
8 a relative other than a parent or the home of like-kin before completion of the  
9 hearing under sub. (4) (a) or (c), if requested, or 30 days after the receipt of the notice,  
10 whichever is later, unless the safety of the child requires it or, in a case in which the  
11 reason for removal is to place the child for adoption under s. 48.833, unless all of the  
12 persons who have the right to request a hearing under sub. (4) (a) or (c) sign written  
13 waivers of objection to the proposed removal. If the safety of the child requires earlier  
14 removal, s. 48.19 applies. If an agency removes a child from an adoptive placement,  
15 the head of the home shall have no claim against the placing agency for the expense  
16 of care, clothing, or medical treatment.

17 **SECTION 510.** 48.64 (2) of the statutes is amended to read:

18 48.64 (2) SUPERVISION OF OUT-OF-HOME CARE PLACEMENTS. Every child who is  
19 placed in a foster home, group home, or shelter care facility approved under s. 938.22  
20 (2) (c) shall be under the supervision of an agency. Every child who is placed in the  
21 home of a relative other than a parent or in the home of like-kin under a court order  
22 shall be under the supervision of an agency.

23 **SECTION 511.** 48.64 (4) (a) of the statutes is amended to read:

24 48.64 (4) (a) Except as provided in par. (d), any decision or order issued by an  
25 agency that affects the head of a foster home or group home, the head of the home

1 of a relative other than a parent or the home of like-kin in which a child is placed,  
2 or the child involved may be appealed to the department under fair hearing  
3 procedures established under rules promulgated by the department. Upon receipt  
4 of an appeal, the department shall give the head of the home reasonable notice and  
5 an opportunity for a fair hearing. The department may make any additional  
6 investigation that the department considers necessary. The department shall give  
7 notice of the hearing to the head of the home and to the departmental subunit, county  
8 department, or child welfare agency that issued the decision or order. Each person  
9 receiving notice is entitled to be represented at the hearing. At all hearings  
10 conducted under this paragraph, the head of the home, or a representative of the  
11 head of the home, shall have an adequate opportunity, notwithstanding s. 48.78 (2)  
12 (a), to examine all documents and records to be used at the hearing at a reasonable  
13 time before the date of the hearing as well as during the hearing, to bring witnesses,  
14 to establish all pertinent facts and circumstances, and to question or refute any  
15 testimony or evidence, including an opportunity to confront and cross-examine  
16 adverse witnesses. The department shall grant a continuance for a reasonable  
17 period of time when an issue is raised for the first time during a hearing. This  
18 requirement may be waived with the consent of the parties. The decision of the  
19 department shall be based exclusively on evidence introduced at the hearing. A  
20 transcript of testimony and exhibits, or an official report containing the substance  
21 of what transpired at the hearing, together with all papers and requests filed in the  
22 proceeding, and the findings of the hearing examiner shall constitute the exclusive  
23 record for decision by the department. The department shall make the record  
24 available at any reasonable time and at an accessible place to the head of the home  
25 or his or her representative. Decisions by the department shall specify the reasons

1 for the decision and identify the supporting evidence. No person participating in an  
2 agency action being appealed may participate in the final administrative decision on  
3 that action. The department shall render its decision as soon as possible after the  
4 hearing and shall send a certified copy of its decision to the head of the home and to  
5 the departmental subunit, county department, or child welfare agency that issued  
6 the decision or order. The decision shall be binding on all parties concerned.

7 **SECTION 512.** 48.64 (4) (c) of the statutes is amended to read:

8 48.64 (4) (c) Except as provided in par. (d), the circuit court for the county where  
9 the dispositional order placing a child in a foster home or group home or in the home  
10 of a relative other than a parent or in the home of like-kin was entered or the  
11 voluntary agreement under s. 48.63 placing a child in a foster home or group home  
12 was made has jurisdiction upon petition of any interested party over the child who  
13 is placed in the foster home, group home, or home of the relative or like-kin. The  
14 circuit court may call a hearing, at which the head of the home and the supervising  
15 agency under sub. (2) shall be present, for the purpose of reviewing any decision or  
16 order of that agency involving the placement and care of the child. If the child has  
17 been placed in a foster home or in the home of a relative other than a parent or in the  
18 home of like-kin, the foster parent ~~or~~, relative, or like-kin may present relevant  
19 evidence at the hearing. The petitioner has the burden of proving by clear and  
20 convincing evidence that the decision or order issued by the agency is not in the best  
21 interests of the child.

22 **SECTION 513.** 48.67 (4) (b) of the statutes is amended to read:

23 48.67 (4) (b) The training under par. (a) shall be available to a kinship care  
24 relative provider, as defined in s. 48.40 (1m), upon request of the kinship care relative  
25 provider.

1           **SECTION 514.** 49.132 of the statutes is created to read:

2           **49.132 Child care partnership grant program.** (1) In this section,  
3 “business” means any organization or enterprise operated for profit or a nonprofit  
4 corporation. “Business” does not include a governmental entity.

5           (2) The department may establish a grant program to award funding to  
6 businesses that provide or wish to provide child care services for their employees.  
7 A grant awarded under this program may be used to reserve child care placements  
8 for local business employees, pay child care tuition, and other costs related to child  
9 care.

10          (3) A business awarded a grant under this section shall provide matching funds  
11 equal to 25 percent or more of the amount awarded.

12          (4) The department may promulgate rules to administer this section, including  
13 to determine eligibility for a grant.

14           **SECTION 515.** 49.133 of the statutes is created to read:

15           **49.133 Child care quality improvement program.** (1) The department  
16 may establish a program under which it may, from the appropriation under s. 20.437  
17 (2) (c) and under s. 49.175 (1) (qm), make monthly payments and monthly per-child  
18 payments to child care providers certified under s. 48.651, child care centers licensed  
19 under s. 48.65, and child care programs established or contracted for by a school  
20 board under s. 120.13 (14).

21          (2) The department may promulgate rules to implement the program under  
22 this section, including establishing eligibility requirements and payment amounts  
23 and setting requirements for how recipients may use the payments.

24           **SECTION 516.** 49.155 (1g) (ac) of the statutes is amended to read:

1           49.155 (1g) (ac) A child care scholarship and bonus program, in the amount of  
2 at least \$3,975,000 \$8,975,000 per fiscal year.

3           **SECTION 517.** 49.155 (1m) (a) 1m. b. of the statutes is amended to read:

4           49.155 (1m) (a) 1m. b. The individual has not yet attained the age of 18 years  
5 and the individual resides with his or her custodial parent or with a kinship care  
6 relative provider under s. 48.57 (3m) or with a long-term kinship care relative  
7 provider under s. 48.57 (3n) or is in a foster home licensed under s. 48.62, a subsidized  
8 guardianship home under s. 48.623, a group home, or an independent living  
9 arrangement supervised by an adult.

10          **SECTION 518.** 49.155 (6) (e) 2. of the statutes is repealed.

11          **SECTION 519.** 49.155 (6) (e) 3. (intro.) of the statutes is amended to read:

12          49.155 (6) (e) 3. (intro.) The department may modify a child care provider's  
13 maximum payment rate under ~~subd. 2. pars. (a) to (c)~~ on the basis of the provider's  
14 quality rating, as described in the quality rating plan, in the following manner:

15          **SECTION 520.** 938.02 (12c) of the statutes is created to read:

16          938.02 (12c) "Like-kin" means a person who has a significant emotional  
17 relationship with a child or the child's family and to whom any of the following  
18 applies:

19           (a) Prior to the child's placement in out-of-home care, the person had an  
20 existing relationship with the child or the child's family that is similar to a familial  
21 relationship.

22           (b) During the child's placement in out-of-home care, the person developed a  
23 relationship with the child or the child's family that is similar to a familial  
24 relationship, and the person is not and has not previously been the child's licensed  
25 foster parent.

1 (c) For an Indian child, “like-kin” includes individuals identified by the child’s  
2 tribe according to tribal tradition, custom or resolution, code, or law.

3 **SECTION 521.** 938.02 (15) of the statutes is amended to read:

4 938.02 (15) “Relative” means a parent, stepparent, brother, sister, stepbrother,  
5 stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd  
6 cousin, first cousin once removed, nephew, niece, uncle, aunt, stepuncle, stepaunt,  
7 or any person of a preceding generation as denoted by the prefix of grand, great, or  
8 great-great, whether by blood, marriage, or legal adoption, or the spouse of any  
9 person named in this subsection, even if the marriage is terminated by death or  
10 divorce. For purposes of the application of s. 938.028 and the federal Indian Child  
11 Welfare Act, 25 USC 1901 to 1963, “relative” includes an extended family member,  
12 as defined in s. 938.028 (2) (a), whether by blood, marriage, or adoption, including  
13 adoption under tribal law or custom. For purposes of placement of a juvenile,  
14 “relative” also includes a parent of a sibling of the juvenile who has legal custody of  
15 that sibling.

16 **SECTION 522.** 938.028 (2) (c) of the statutes is amended to read:

17 938.028 (2) (c) “Out-of-home care placement” means the removal of an Indian  
18 juvenile from the home of his or her parent or Indian custodian for temporary  
19 placement in a foster home, group home, residential care center for children and  
20 youth, or shelter care facility, in the home of a relative other than a parent, in the  
21 home of like-kin, or in the home of a guardian, from which placement the parent or  
22 Indian custodian cannot have the juvenile returned upon demand. “Out-of-home  
23 care placement” does not include an emergency change in placement under s.  
24 938.357 (2) (b) or holding an Indian juvenile in custody under ss. 938.19 to 938.21.

25 **SECTION 523.** 938.207 (1) (b) of the statutes is amended to read:

1           938.207 (1) (b) The home of a relative or like-kin, except that a juvenile may  
2 not be held in the home of a ~~relative if the relative~~ person who has been convicted  
3 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the  
4 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction has  
5 not been reversed, set aside or vacated, unless the person making the custody  
6 decision determines by clear and convincing evidence that the placement would be  
7 in the best interests of the juvenile. The person making the custody decision shall  
8 consider the wishes of the juvenile in making that determination.

9           **SECTION 524.** 938.207 (1) (f) of the statutes is amended to read:

10           938.207 (1) (f) The home of a person not a relative or like-kin if the person has  
11 not had a license under s. 48.62 refused, revoked, or suspended within the previous  
12 2 years. A placement under this paragraph may not exceed 30 days, unless the  
13 placement is extended by the court for cause for an additional 30 days.

14           **SECTION 525.** 938.33 (4) (intro.) of the statutes is amended to read:

15           938.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending  
16 placement in a foster home, group home, or nonsecured residential care center for  
17 children and youth, in the home of a relative other than a parent, in the home of  
18 like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised  
19 independent living arrangement shall be in writing, except that the report may be  
20 presented orally at the dispositional hearing if all parties consent. A report that is  
21 presented orally shall be transcribed and made a part of the court record. The report  
22 shall include all of the following:

23           **SECTION 526.** 938.335 (3g) (intro.) of the statutes is amended to read:

24           938.335 (3g) REASONABLE EFFORTS FINDING. (intro.) At hearings under this  
25 section, if the agency, as defined in s. 938.38 (1) (a), is recommending placement of



1 the juvenile in a foster home, group home, or residential care center for children and  
2 youth, in the home of a relative other than a parent, in the home of like-kin, in the  
3 home of a guardian under s. 48.977 (2), or in a supervised independent living  
4 arrangement, the agency shall present as evidence specific information showing all  
5 of the following:

6 **SECTION 527.** 938.335 (3j) (intro.) of the statutes is amended to read:

7 938.335 (3j) INDIAN JUVENILE; ACTIVE EFFORTS FINDING. (intro.) At hearings  
8 under this section involving an Indian juvenile who is the subject of a proceeding  
9 under s. 938.13 (4), (6), (6m), or (7), if the agency, as defined in s. 938.38 (1) (a), is  
10 recommending removal of the Indian juvenile from the home of his or her parent or  
11 Indian custodian and placement of the Indian juvenile in a foster home, group home,  
12 or residential care center for children and youth ~~or~~ in the home of a relative other  
13 than a parent, or in the home of like-kin, the agency shall present as evidence  
14 specific information showing all of the following:

15 **SECTION 528.** 938.34 (3) (a) (intro.) of the statutes is amended to read:

16 938.34 (3) (a) (intro.) The home of a parent ~~or~~ other relative, or like-kin of the  
17 juvenile, except that the court may not designate any of the following as the juvenile's  
18 placement, unless the court determines by clear and convincing evidence that the  
19 placement would be in the best interests of the juvenile or, in the case of an Indian  
20 juvenile, the best interests of the Indian juvenile as described in s. 938.01 (3):

21 **SECTION 529.** 938.34 (3) (a) 1. of the statutes is amended to read:

22 938.34 (3) (a) 1. The home of a parent ~~or~~ other relative, or like-kin of the  
23 juvenile if the parent ~~or~~ other relative, or like-kin has been convicted of the homicide  
24 of a parent of the juvenile under s. 940.01 or 940.05, and the conviction has not been  
25 reversed, set aside, or vacated. In determining whether a placement under this

1 subdivision would be in the best interests of the juvenile, the court shall consider the  
2 wishes of the juvenile.

3 **SECTION 530.** 938.34 (3) (a) 2. of the statutes is amended to read:

4 938.34 (3) (a) 2. The home of a relative other than the parent of the juvenile  
5 or the home of like-kin if the court finds that the relative or like-kin has been  
6 convicted of, has pleaded no contest to, or has had a charge dismissed or amended  
7 as a result of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03  
8 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081,  
9 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or  
10 a similar law of another state.

11 **SECTION 531.** 938.355 (4) (am) (intro.) of the statutes is amended to read:

12 938.355 (4) (am) (intro.) Except as provided in par. (b) or s. 938.368, an order  
13 under this section or s. 938.357 or 938.365 made before the juvenile attains 18 years  
14 of age that places or continues the placement of the juvenile in a foster home, group  
15 home, or residential care center for children and youth, in the home of a relative other  
16 than a parent, in the home of like-kin, or in a supervised independent living  
17 arrangement shall terminate on the latest of the following dates, unless the court  
18 specifies a shorter period or the court terminates the order sooner:

19 **SECTION 532.** 938.357 (6) (a) (intro.) of the statutes is amended to read:

20 938.357 (6) (a) (intro.) No change in placement may extend the expiration date  
21 of the original dispositional order, except that if the change in placement is from a  
22 placement in the juvenile's home to a placement in a foster home, group home, or  
23 residential care center for children and youth, in the home of a relative who is not  
24 a parent, in the home of like-kin, or in a supervised independent living arrangement,

1 the court may extend the expiration date of the original dispositional order to the  
2 latest of the following dates, unless the court specifies a shorter period:

3 **SECTION 533.** 938.357 (6) (b) of the statutes is amended to read:

4 938.357 (6) (b) If the change in placement is from a placement in a foster home,  
5 group home, or residential care center for children and youth or in the home of a  
6 relative or like-kin to a placement in the juvenile's home and if the expiration date  
7 of the original dispositional order is more than one year after the date on which the  
8 change-in-placement order is granted, the court shall shorten the expiration date  
9 of the original dispositional order to the date that is one year after the date on which  
10 the change-in-placement order is granted or to an earlier date as specified by the  
11 court.

12 **SECTION 534.** 938.365 (5) (b) (intro.) of the statutes is amended to read:

13 938.365 (5) (b) (intro.) Except as provided in s. 938.368, an order under this  
14 section that continues the placement of a juvenile in a foster home, group home, or  
15 residential care center for children and youth, in the home of a relative other than  
16 a parent, in the home of like-kin, or in a supervised independent living arrangement  
17 shall be for a specified length of time not to exceed the latest of the following dates:

18 **SECTION 535.** 938.366 (1) (a) of the statutes is amended to read:

19 938.366 (1) (a) The person is placed in a foster home, group home, or residential  
20 care center for children and youth, in the home of a relative other than a parent, in  
21 the home of like-kin, or in a supervised independent living arrangement under an  
22 order under s. 938.355, 938.357, or 938.365 that terminates as provided in s. 938.355  
23 (4) (am) 1., 2., or 3., 938.357 (6) (a) 1., 2., or 3., or 938.365 (5) (b) 1., 2., or 3. on or after  
24 the person attains 18 years of age.

25 **SECTION 536.** 938.371 (1) (intro.) of the statutes is amended to read:

1           938.371 (1) MEDICAL INFORMATION. (intro.) If a juvenile is placed in a foster  
2 home, group home, residential care center for children and youth, or juvenile  
3 correctional facility ~~or~~, in the home of a relative other than a parent, or in the home  
4 of like-kin, including a placement under s. 938.205 or 938.21, the agency, as defined  
5 in s. 938.38 (1) (a), that placed the juvenile or arranged for the placement of the  
6 juvenile shall provide the following information to the foster parent, relative,  
7 like-kin, or operator of the group home, residential care center for children and  
8 youth, or juvenile correctional facility at the time of placement or, if the information  
9 has not been provided to the agency by that time, as soon as possible after the date  
10 on which the agency receives that information, but not more than 2 working days  
11 after that date:

12           **SECTION 537.** 938.371 (1) (a) of the statutes is amended to read:

13           938.371 (1) (a) Results of an HIV test, as defined in s. 252.01 (2m), of the  
14 juvenile as provided under s. 252.15 (3m) (d) 15., including results included in a court  
15 report or permanency plan. At the time that the test results are provided, the agency  
16 shall notify the foster parent, relative, like-kin, or operator of the group home,  
17 residential care center for children and youth, or juvenile correctional facility of the  
18 confidentiality requirements under s. 252.15 (6).

19           **SECTION 538.** 938.371 (3) (intro.) of the statutes is amended to read:

20           938.371 (3) OTHER INFORMATION. (intro.) At the time of placement of a juvenile  
21 in a foster home, group home, residential care center for children and youth, or  
22 juvenile correctional facility or in the home of a relative other than a parent or in the  
23 home of like-kin or, if the information is not available at that time, as soon as possible  
24 after the date on which the court report or permanency plan has been submitted, but  
25 no later than 7 days after that date, the agency, as defined in s. 938.38 (1) (a),

1 responsible for preparing the juvenile's permanency plan shall provide to the foster  
2 parent, relative, like-kin, or operator of the group home, residential care center for  
3 children and youth, or juvenile correctional facility information contained in the  
4 court report submitted under s. 938.33 (1) or 938.365 (2g) or permanency plan  
5 submitted under s. 938.355 (2e) or 938.38 relating to findings or opinions of the court  
6 or agency that prepared the court report or permanency plan relating to any of the  
7 following:

8 **SECTION 539.** 938.371 (5) of the statutes is amended to read:

9 938.371 (5) CONFIDENTIALITY OF INFORMATION. Except as permitted under s.  
10 252.15 (6), a foster parent, treatment foster parent, relative, like-kin, or operator of  
11 a group home, residential care center for children and youth, or juvenile correctional  
12 facility that receives any information under sub. (1) or (3), other than the information  
13 described in sub. (3) (e), shall keep the information confidential and may disclose that  
14 information only for the purposes of providing care for the juvenile or participating  
15 in a court hearing or permanency review concerning the juvenile.

16 **SECTION 540.** 938.38 (2) (intro.) of the statutes is amended to read:

17 938.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),  
18 for each juvenile living in a foster home, group home, residential care center for  
19 children and youth, juvenile detention facility, shelter care facility, or supervised  
20 independent living arrangement, the agency that placed the juvenile or arranged the  
21 placement or the agency assigned primary responsibility for providing services to the  
22 juvenile under s. 938.355 (2) (b) 6g. shall prepare a written permanency plan, if any  
23 of the following conditions exists, and, for each juvenile living in the home of a  
24 guardian or a relative other than a parent or in the home of like-kin, that agency

1 shall prepare a written permanency plan, if any of the conditions under pars. (a) to  
2 (e) exists:

3 **SECTION 541.** 938.38 (3m) (a) of the statutes is amended to read:

4 938.38 (3m) (a) All appropriate biological family members, relatives, and  
5 like-kin of the juvenile, as determined by the agency. Notwithstanding s. 938.02  
6 (12c) (b), in this paragraph, “like-kin” may include a person who is or previously was  
7 the child’s licensed foster parent.

8 **SECTION 542.** 938.38 (4) (f) (intro.) of the statutes is amended to read:

9 938.38 (4) (f) (intro.) A description of the services that will be provided to the  
10 juvenile, the juvenile’s family, and the juvenile’s foster parent, the operator of the  
11 facility where the juvenile is living, or the relative or like-kin with whom the juvenile  
12 is living to carry out the dispositional order, including services planned to accomplish  
13 all of the following:

14 **SECTION 543.** 938.38 (4m) (b) of the statutes is amended to read:

15 938.38 (4m) (b) At least 10 days before the date of the hearing the court shall  
16 notify the juvenile; any parent, guardian, and legal custodian of the juvenile; any  
17 foster parent, or other physical custodian described in s. 48.62 (2) of the juvenile, the  
18 operator of the facility in which the juvenile is living, or the relative or like-kin with  
19 whom the juvenile is living; and, if the juvenile is an Indian juvenile who is or is  
20 alleged to be in need of protection or services under s. 938.13 (4), (6), (6m), or (7), the  
21 Indian juvenile’s Indian custodian and tribe of the time, place, and purpose of the  
22 hearing, of the issues to be determined at the hearing, and of the fact that they shall  
23 have a right to be heard at the hearing.

24 **SECTION 544.** 938.38 (4m) (d) of the statutes is amended to read:

1           938.38 (4m) (d) The court shall give a foster parent, other physical custodian  
2 described in s. 48.62 (2), operator of a facility, ~~or relative,~~ or like-kin who is notified  
3 of a hearing under par. (b) a right to be heard at the hearing by permitting the foster  
4 parent, other physical custodian, operator, ~~or relative,~~ or like-kin to make a written  
5 or oral statement during the hearing, or to submit a written statement prior to the  
6 hearing, relevant to the issues to be determined at the hearing. The foster parent,  
7 other physical custodian, operator of a facility, ~~or relative,~~ or like-kin does not  
8 become a party to the proceeding on which the hearing is held solely on the basis of  
9 receiving that notice and right to be heard.

10           **SECTION 545.** 938.38 (5) (b) of the statutes is amended to read:

11           938.38 (5) (b) The court or the agency shall notify the juvenile; the juvenile's  
12 parent, guardian, and legal custodian; the juvenile's foster parent, the operator of the  
13 facility in which the juvenile is living, or the relative or like-kin with whom the  
14 juvenile is living; and, if the juvenile is an Indian juvenile who is placed outside the  
15 home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the  
16 Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the  
17 review, of the issues to be determined as part of the review, and of the fact that they  
18 shall have a right to be heard at the review as provided in par. (bm) 1. The court or  
19 agency shall notify the person representing the interests of the public, the juvenile's  
20 counsel, the juvenile's guardian ad litem, and the juvenile's school of the time, place,  
21 and purpose of the review, of the issues to be determined as part of the review, and  
22 of the fact that they may have an opportunity to be heard at the review as provided  
23 in par. (bm) 1. The notices under this paragraph shall be provided in writing not less  
24 than 30 days before the review and copies of the notices shall be filed in the juvenile's  
25 case record. The notice to the juvenile's school shall also include the name and

1 contact information for the caseworker or social worker assigned to the juvenile's  
2 case.

3 **SECTION 546.** 938.38 (5) (bm) 1. of the statutes is amended to read:

4 938.38 (5) (bm) 1. A juvenile, parent, guardian, legal custodian, foster parent,  
5 operator of a facility, ~~or relative,~~ or like-kin who is provided notice of the review  
6 under par. (b) shall have a right to be heard at the review by submitting written  
7 comments relevant to the determinations specified in par. (c) not less than 10  
8 working days before the date of the review or by participating at the review. A person  
9 representing the interests of the public, counsel, guardian ad litem, or school who is  
10 provided notice of the review under par. (b) may have an opportunity to be heard at  
11 the review by submitting written comments relevant to the determinations specified  
12 in par. (c) not less than 10 working days before the date of the review. A foster parent,  
13 operator of a facility, ~~or relative,~~ or like-kin who receives notice of a review under par.  
14 (b) and a right to be heard under this subdivision does not become a party to the  
15 proceeding on which the review is held solely on the basis of receiving that notice and  
16 right to be heard.

17 **SECTION 547.** 938.38 (5) (e) of the statutes is amended to read:

18 938.38 (5) (e) Within 30 days, the agency shall prepare a written summary of  
19 the determinations under par. (c) and shall provide a copy to the court that entered  
20 the order; the juvenile or the juvenile's counsel or guardian ad litem; the person  
21 representing the interests of the public; the juvenile's parent, guardian, or legal  
22 custodian; the juvenile's foster parent, the operator of the facility where the juvenile  
23 is living, or the relative or like-kin with whom the juvenile is living; and, if the  
24 juvenile is an Indian juvenile who is placed outside the home of his or her parent or



1 Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian  
2 custodian and tribe.

3 **SECTION 548.** 938.38 (5m) (b) of the statutes is amended to read:

4 938.38 **(5m)** (b) The court shall notify the juvenile; the juvenile's parent,  
5 guardian, and legal custodian; and the juvenile's foster parent, the operator of the  
6 facility in which the juvenile is living, or the relative or like-kin with whom the  
7 juvenile is living of the time, place, and purpose of the hearing, of the issues to be  
8 determined at the hearing, and of the fact that they shall have a right to be heard  
9 at the hearing as provided in par. (c) 1. The court shall notify the juvenile's counsel  
10 and the juvenile's guardian ad litem; the agency that prepared the permanency plan;  
11 the juvenile's school; the person representing the interests of the public; and, if the  
12 juvenile is an Indian juvenile who is placed outside the home of his or her parent or  
13 Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian  
14 custodian and tribe of the time, place, and purpose of the hearing, of the issues to be  
15 determined at the hearing, and of the fact that they may have an opportunity to be  
16 heard at the hearing as provided in par. (c) 1. The notices under this paragraph shall  
17 be provided in writing not less than 30 days before the hearing. The notice to the  
18 juvenile's school shall also include the name and contact information for the  
19 caseworker or social worker assigned to the juvenile's case.

20 **SECTION 549.** 938.38 (5m) (c) 1. of the statutes is amended to read:

21 938.38 **(5m)** (c) 1. A juvenile, parent, guardian, legal custodian, foster parent,  
22 operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the hearing  
23 under par. (b) shall have a right to be heard at the hearing by submitting written  
24 comments relevant to the determinations specified in sub. (5) (c) not less than 10  
25 working days before the date of the hearing or by participating at the hearing. A

1 counsel, guardian ad litem, agency, school, or person representing the interests of the  
2 public who is provided notice of the hearing under par. (b) may have an opportunity  
3 to be heard at the hearing by submitting written comments relevant to the  
4 determinations specified in sub. (5) (c) not less than 10 working days before the date  
5 of the hearing or by participating at the hearing. A foster parent, operator of a  
6 facility, ~~or relative,~~ or like-kin who receives notice of a hearing under par. (b) and a  
7 right to be heard under this subdivision does not become a party to the proceeding  
8 on which the hearing is held solely on the basis of receiving that notice and right to  
9 be heard.

10 **SECTION 550.** 938.38 (5m) (e) of the statutes is amended to read:

11 938.38 (5m) (e) After the hearing, the court shall make written findings of fact  
12 and conclusions of law relating to the determinations under sub. (5) (c) and shall  
13 provide a copy of those findings of fact and conclusions of law to the juvenile; the  
14 juvenile's parent, guardian, and legal custodian; the juvenile's foster parent, the  
15 operator of the facility in which the juvenile is living, or the relative or like-kin with  
16 whom the juvenile is living; the agency that prepared the permanency plan; the  
17 person representing the interests of the public; and, if the juvenile is an Indian  
18 juvenile who is placed outside the home of his or her parent or Indian custodian  
19 under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe.  
20 The court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis  
21 based on circumstances specific to the juvenile and shall document or reference the  
22 specific information on which those findings are based in the findings of fact and  
23 conclusions of law prepared under this paragraph. Findings of fact and conclusions  
24 of law that merely reference sub. (5) (c) 7. without documenting or referencing that  
25 specific information in the findings of fact and conclusions of law or amended

1 findings of fact and conclusions of law that retroactively correct earlier findings of  
2 fact and conclusions of law that do not comply with this paragraph are not sufficient  
3 to comply with this paragraph.

4 **SECTION 551.** 938.385 (intro.) of the statutes is amended to read:

5 **938.385 Plan for transition to independent living.** (intro.) During the 90  
6 days immediately before a juvenile who is placed in a foster home, group home, or  
7 residential care center for children and youth, in the home of a relative other than  
8 a parent, in the home of like-kin, or in a supervised independent living arrangement  
9 attains 18 years of age or, if the juvenile is placed in such a placement under an order  
10 under s. 938.355, 938.357, or 938.365 that terminates under s. 938.355 (4) (am) after  
11 the juvenile attains 18 years of age or under a voluntary  
12 transition-to-independent-living agreement under s. 938.366 (3) that terminates  
13 under s. 938.366 (3) (a) after the juvenile attains 18 years of age, during the 90 days  
14 immediately before the termination of the order or agreement, the agency primarily  
15 responsible for providing services to the juvenile under the order or agreement shall  
16 do all of the following:

17 **SECTION 552.** DCF 56.23 (1) (c) of the administrative code is amended to read:

18 DCF 56.23 (1) (c) A placing agency may not make a supplemental or  
19 exceptional payment ~~or pay an initial clothing allowance, except for an exceptional~~  
20 payment under sub. (3) (a) 2., for a child placed in a Level 1 foster home.

21 **SECTION 553.** DCF 58.08 (9) (c) and (d) of the administrative code are created  
22 to read:

23 DCF 58.08 (9) (c) *Exceptional payments.* A kinship care agency may issue to  
24 a relative caregiver who is receiving kinship care payments or long-term kinship  
25 care payments an exceptional payment to enable siblings or minor parent and minor

1 children to reside together, subject to a maximum payment amount determined by  
2 the department.

3 (d) *Initial clothing allowance.* A kinship care agency may pay an initial  
4 clothing allowance to a relative caregiver when the relative caregiver is initially  
5 approved by the kinship care agency. The amount of the initial clothing allowance  
6 shall be the actual cost of the clothing not to exceed a maximum determined by the  
7 department.

8 **SECTION 9106. Nonstatutory provisions; Children and Families.**

9 (1) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under s.  
10 227.24, the department of children and families may promulgate the rules  
11 authorized under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1) (a)  
12 and (3), the department of children and families is not required to provide evidence  
13 that promulgating a rule under this subsection as an emergency rule is necessary for  
14 the preservation of the public peace, health, safety, or welfare and is not required to  
15 provide a finding of emergency for a rule promulgated under this subsection.

16 **SECTION 9406. Effective dates; Children and Families.**

17 (1) FOSTER CARE AND KINSHIP CARE RATES. The treatment of ss. 48.57 (3m) (am)  
18 (intro.) (by SECTION 43q) and (3n) (am) (intro.) (by SECTION 66q) and 48.62 (4) takes  
19 effect on January 1, 2024, or on the day after publication, whichever is later.”.

20 **160.** Page 374, line 11: after that line insert:

21 “**SECTION 554.** 234.18 (1) of the statutes is renumbered 234.18 and amended  
22 to read:

23 **234.18 Limit on amount of outstanding bonds and notes.** The authority  
24 may not issue notes and bonds that are secured by a capital reserve fund to which

1 s. 234.15 (4) applies if, upon issuance, the total aggregate outstanding principal  
2 amount of notes and bonds that are secured by a capital reserve fund to which s.  
3 234.15 (4) applies would exceed ~~\$600,000,000~~ \$1,200,000,000. This section does not  
4 apply to bonds and notes issued to refund outstanding notes and bonds.

5 **SECTION 555.** 234.18 (2) of the statutes is repealed.”.

6 **161.** Page 374, line 11: after that line insert:

7 “**SECTION 556.** 20.437 (1) (dd) of the statutes is amended to read:

8 20.437 (1) (dd) *State out-of-home care, adoption services, and subsidized*  
9 *guardianships.* The amounts in the schedule for foster care, institutional child care,  
10 and subsidized adoptions under ss. 48.48 (12) and 48.52, for the cost of care for  
11 children under s. 49.19 (10) (d), for the cost of placements of children 18 years of age  
12 or over in residential care centers for children and youth under voluntary  
13 agreements under s. 48.366 (3) or under orders that terminate as provided in s.  
14 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., for the cost of the foster care  
15 monitoring system, for the cost of reimbursing counties and Indian tribes for  
16 subsidized guardianship payments under s. 48.623 (3) (a), for the cost of services to  
17 children with special needs who are under the guardianship of the department to  
18 prepare those children for adoption, and for the cost of postadoption services to  
19 children with special needs.

20 **SECTION 557.** 20.437 (1) (pd) of the statutes is amended to read:

21 20.437 (1) (pd) *Federal aid; state out-of-home care, adoption services, and*  
22 *subsidized guardianships.* All federal moneys received for meeting the costs of  
23 providing foster care, institutional child care, and subsidized adoptions under ss.  
24 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost of

1 placements of children 18 years of age or over in residential care centers for children  
2 and youth under voluntary agreements under s. 48.366 (3) or under orders that  
3 terminate as provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., the  
4 cost of reimbursing counties and Indian tribes for subsidized guardianship  
5 payments under s. 48.623 (3) (a), the cost of services to children with special needs  
6 who are under the guardianship of the department to prepare those children for  
7 adoption, and the cost of postadoption services to children with special needs.  
8 Disbursements for foster care under s. 49.32 (2) and for the purposes described under  
9 s. 48.627 may be made from this appropriation.

10 **SECTION 558.** 48.48 (8r) of the statutes is amended to read:

11 48.48 (8r) To reimburse county departments and Indian tribes, from the  
12 appropriations under s. 20.437 (1) (dd) and (pd), for subsidized guardianship  
13 payments made under s. 48.623 (1) or (6), including guardianships of ~~Indian~~ children  
14 ordered by tribal courts.

15 **SECTION 559.** 48.623 (1) (intro.) of the statutes is amended to read:

16 48.623 (1) ELIGIBILITY. (intro.) A county department or, as provided in sub. (3)  
17 (a), an Indian tribe or the department shall provide monthly subsidized  
18 guardianship payments in the amount specified in sub. (3) (b) to a guardian of a child  
19 under s. 48.977 (2) or under a substantially similar tribal law if the county  
20 department, Indian tribe, or department determines that the conditions specified in  
21 pars. (a) to (d) have been met. A county department or, as provided in sub. (3) (a),  
22 a tribe or the department shall also provide those payments for the care of a sibling  
23 of such a child, regardless of whether the sibling meets the conditions specified in par.  
24 (a), if the county department, Indian tribe, or department and the guardian agree on  
25 the appropriateness of placing the sibling in the home of the guardian. A guardian

1 of a child under s. 48.977 (2) or under a substantially similar tribal law is eligible for  
2 monthly subsidized guardianship payments under this subsection if the county  
3 department, Indian tribe, or the department, whichever will be providing those  
4 payments, determines that all of the following apply:

5 **SECTION 560.** 48.623 (1) (b) 3. of the statutes is amended to read:

6 48.623 (1) (b) 3. The guardian is licensed as the child's foster parent and the  
7 guardian and all adults residing in the guardian's home meet the requirements  
8 specified in s. 48.685 or, for a guardianship of a child ordered by a tribal court in  
9 which the background investigation is conducted by the Indian tribe, all adults  
10 residing in the guardian's home meet either the requirements specified in s. 48.685  
11 or the background check requirements for foster parent licensing under 42 USC 671  
12 (a) (20).

13 **SECTION 561.** 48.623 (1) (c) of the statutes is amended to read:

14 48.623 (1) (c) An order under s. 48.345, 48.357, 48.363, 48.365, 938.345,  
15 938.357, 938.363, or 938.365 or a tribal court under a substantially similar tribal law  
16 placing the child, or continuing the placement of the child, outside of the child's home  
17 has been terminated, or any proceeding in which the child has been adjudged to be  
18 in need of protection or services specified in s. 48.977 (2) (a) has been dismissed, as  
19 provided in s. 48.977 (3r) (a).

20 **SECTION 562.** 48.623 (2) (intro.) of the statutes is amended to read:

21 48.623 (2) SUBSIDIZED GUARDIANSHIP AGREEMENT. (intro.) Before a county  
22 department, an Indian tribe, or the department may approve the provision of  
23 subsidized guardianship payments under sub. (1) to a proposed guardian, the county  
24 department, Indian tribe, or department shall negotiate and enter into a written,  
25 binding subsidized guardianship agreement with the proposed guardian and provide

1 the proposed guardian with a copy of the agreement. A subsidized guardianship  
2 agreement or an amended subsidized guardianship agreement may also name a  
3 prospective successor guardian of the child to assume the duty and authority of  
4 guardianship on the death or incapacity of the guardian. A successor guardian is  
5 eligible for monthly subsidized guardianship payments under this section only if the  
6 successor guardian is named as a prospective successor guardian of the child in a  
7 subsidized guardianship agreement or amended subsidized guardianship  
8 agreement that was entered into before the death or incapacity of the guardian, the  
9 conditions specified in sub. (6) (bm) are met, and the court appoints the successor  
10 guardian to assume the duty and authority of guardianship as provided in s. 48.977  
11 (5m). A subsidized guardianship agreement shall specify all of the following:

12 **SECTION 563.** 48.623 (2) (c) of the statutes is amended to read:

13 48.623 (2) (c) That the county department, Indian tribe, or department will pay  
14 the total cost of the nonrecurring expenses that are associated with obtaining  
15 guardianship of the child, not to exceed \$2,000.

16 **SECTION 564.** 48.623 (3) (a) of the statutes is amended to read:

17 48.623 (3) (a) Except as provided in this paragraph, the county department  
18 shall provide the monthly payments under sub. (1) or (6). An Indian tribe that has  
19 entered into an agreement with the department under sub. (8) shall provide the  
20 monthly payments under sub. (1) or (6) for guardianships of children ordered by the  
21 tribal court, or a county department may provide the monthly payments under sub.  
22 (1) or (6) for guardianships of children ordered by the tribal court if the county  
23 department has entered into an agreement with the governing body of an Indian  
24 tribe to provide those payments. The county department or Indian tribe shall  
25 provide those payments from moneys received under s. 48.48 (8r). The department



1 shall reimburse county departments and Indian tribes for the cost of subsidized  
2 guardianship payments, including payments made by county departments for  
3 guardianships of ~~Indian~~ children ordered by tribal courts, from the appropriations  
4 under s. 20.437 (1) (dd) and (pd). In a county having a population of 750,000 or more  
5 or in the circumstances specified in s. 48.43 (7) (a) or 48.485 (1), the department shall  
6 provide the monthly payments under sub. (1) or (6). The department shall provide  
7 those payments from the appropriations under s. 20.437 (1) (cx) and (mx).

8 **SECTION 565.** 48.623 (3) (b) of the statutes is amended to read:

9 48.623 (3) (b) The county department or, as provided in par. (a), an Indian tribe  
10 or the department shall determine the initial amount of a monthly payment under  
11 sub. (1) or (6) for the care of a child based on the circumstances of the guardian and  
12 the needs of the child. That amount may not exceed the amount received under s.  
13 48.62 (4) or a substantially similar tribal law by the guardian of the child for the  
14 month immediately preceding the month in which the guardianship order was  
15 granted. A guardian or an interim caretaker who receives a monthly payment under  
16 sub. (1) or (6) for the care of a child is not eligible to receive a payment under s. 48.57  
17 (3m) or (3n) or 48.62 (4) for the care of that child.

18 **SECTION 566.** 48.623 (3) (c) 1. of the statutes is amended to read:

19 48.623 (3) (c) 1. If a person who is receiving monthly subsidized guardianship  
20 payments under an agreement under sub. (2) believes that there has been a  
21 substantial change in circumstances, as defined by the department by rule  
22 promulgated under sub. (7) (a), he or she may request that the agreement be  
23 amended to increase the amount of those payments. If a request is received under  
24 this subdivision, the county department, Indian tribe, or department shall  
25 determine whether there has been a substantial change in circumstances and

1 whether there has been a substantiated report of abuse or neglect of the child by the  
2 person receiving those payments. If there has been a substantial change in  
3 circumstances and if there has been no substantiated report of abuse or neglect of  
4 the child by that person, the county department, Indian tribe, or department shall  
5 offer to increase the amount of those payments based on criteria established by the  
6 department by rule promulgated under sub. (7) (b). If an increased monthly  
7 subsidized guardianship payment is agreed to by the person receiving those  
8 payments, the county department, Indian tribe, or department shall amend the  
9 agreement in writing to specify the increased amount of those payments.

10 **SECTION 567.** 48.623 (3) (c) 2. of the statutes is amended to read:

11 48.623 (3) (c) 2. Annually, a county department, Indian tribe, or the department  
12 shall review an agreement that has been amended under subd. 1. to determine  
13 whether the substantial change in circumstances that was the basis for amending  
14 the agreement continues to exist. If that substantial change in circumstances  
15 continues to exist, the agreement, as amended, shall remain in effect. If that  
16 substantial change in circumstances no longer exists, the county department, Indian  
17 tribe, or department shall offer to decrease the amount of the monthly subsidized  
18 guardianship payments provided under sub. (1) based on criteria established by the  
19 department under sub. (7) (c). If the decreased amount of those payments is agreed  
20 to by the person receiving those payments, the county department, Indian tribe, or  
21 department shall amend the agreement in writing to specify the decreased amount  
22 of those payments. If the decreased amount of those payments is not agreed to by  
23 the person receiving those payments, that person may appeal the decision of the  
24 county department, Indian tribe, or department regarding the decrease under sub.  
25 (5).

1           **SECTION 568.** 48.623 (3) (d) of the statutes is amended to read:

2           48.623 (3) (d) The department, an Indian tribe, or a county department may  
3 recover an overpayment made under sub. (1) or (6) from a guardian or interim  
4 caretaker who continues to receive those payments by reducing the amount of the  
5 person's monthly payment. The department may by rule specify other methods for  
6 recovering those overpayments. A county department or Indian tribe that recovers  
7 an overpayment under this paragraph due to the efforts of its officers and employees  
8 may retain a portion of the amount recovered, as provided by the department by rule.

9           **SECTION 569.** 48.623 (4) of the statutes is amended to read:

10          48.623 (4) ANNUAL REVIEW. A county department, an Indian tribe, or the  
11 department shall review a placement of a child for which the county department,  
12 Indian tribe, or department makes payments under sub. (1) not less than every 12  
13 months after the county department, Indian tribe, or department begins making  
14 those payments to determine whether the child and the guardian remain eligible for  
15 those payments. If the child or the guardian is no longer eligible for those payments,  
16 the county department, Indian tribe, or department shall discontinue making those  
17 payments.

18          **SECTION 570.** 48.623 (5) (b) 1. (intro.) of the statutes is amended to read:

19          48.623 (5) (b) 1. (intro.) Upon receipt of a timely petition described in par. (a)  
20 the department shall give the applicant or recipient reasonable notice and an  
21 opportunity for a fair hearing. The department may make such additional  
22 investigation as it considers necessary. Notice of the hearing shall be given to the  
23 applicant or recipient and to the county department, Indian tribe, or subunit of the  
24 department whose action or failure to act is the subject of the petition. That county  
25 department, Indian tribe, or subunit of the department may be represented at the

1 hearing. The department shall render its decision as soon as possible after the  
2 hearing and shall send a certified copy of its decision to the applicant or recipient and  
3 to the county department, Indian tribe, or subunit of the department whose action  
4 or failure to act is the subject of the petition. The decision of the department shall  
5 have the same effect as an order of the county department, Indian tribe, or subunit  
6 of the department whose action or failure to act is the subject of the petition. The  
7 decision shall be final, but may be revoked or modified as altered conditions may  
8 require. The department shall deny a petition for review or shall refuse to grant  
9 relief if any of the following applies:

10 **SECTION 571.** 48.623 (5) (b) 2. of the statutes is amended to read:

11 48.623 (5) (b) 2. If a recipient requests a hearing within 10 days after the date  
12 of notice that his or her payments under sub. (1) are being decreased or discontinued,  
13 those payments may not be decreased or discontinued until a decision is rendered  
14 after the hearing but payments made pending the hearing decision may be recovered  
15 by the department if the contested action or failure to act is upheld. The department  
16 shall promptly notify the county department, Indian tribe, or ~~the~~ subunit of the  
17 department whose action is the subject of the hearing that the recipient has  
18 requested a hearing. Payments under sub. (1) shall be decreased or discontinued if  
19 the recipient is contesting a state law or a change in state law and not the  
20 determination of the payment made on the recipient's behalf.

21 **SECTION 572.** 48.623 (6) (am) (intro.) of the statutes is amended to read:

22 48.623 (6) (am) (intro.) On the death, incapacity, resignation, or removal of a  
23 guardian receiving payments under sub. (1), the county department, Indian tribe, or  
24 ~~the~~ department providing those payments shall provide monthly subsidized

1 guardianship payments in the amount specified in sub. (3) (b) for a period of up to  
2 12 months to an interim caretaker if all of the following conditions are met:

3 **SECTION 573.** 48.623 (6) (am) 1. of the statutes is amended to read:

4 48.623 (6) (am) 1. The county department, Indian tribe, or department inspects  
5 the home of the interim caretaker, interviews the interim caretaker, and determines  
6 that placement of the child with the interim caretaker is in the best interests of the  
7 child. In the case of an Indian child, the best interests of the Indian child shall be  
8 determined in accordance with s. 48.01 (2).

9 **SECTION 574.** 48.623 (6) (am) 2. of the statutes is amended to read:

10 48.623 (6) (am) 2. The county department, Indian tribe, or department  
11 conducts a background investigation under s. 48.685 of the interim caretaker and  
12 any nonclient resident, as defined in s. 48.685 (1) (bm), of the home of the interim  
13 caretaker and determines that those individuals meet the requirements specified in  
14 s. 48.685. For investigations conducted by an Indian tribe, the background  
15 investigation may be conducted under s. 48.685 or by meeting the background check  
16 requirements for foster parent licensing under 42 USC 671 (a) (20). The county  
17 department, Indian tribe, or department shall provide the department of health  
18 services with information about each person who is denied monthly subsidized  
19 guardianship payments or permission to reside in the home of an interim caretaker  
20 for a reason specified in s. 48.685 (4m) (a) 1. to 5. or (b) 1. to 5.

21 **SECTION 575.** 48.623 (6) (am) 3. of the statutes is amended to read:

22 48.623 (6) (am) 3. The interim caretaker cooperates with the county  
23 department, Indian tribe, or department in finding a permanent placement for the  
24 child.

1           **SECTION 576.** 48.623 (6) (bm) (intro.), 1., 2., 3., 4. and 5. of the statutes are  
2 amended to read:

3           48.623 **(6)** (bm) (intro.) On the death or incapacity of a guardian receiving  
4 payments under sub. (1), the county department, an Indian tribe, or the department  
5 providing those payments shall provide monthly subsidized guardianship payments  
6 in the amount specified in sub. (3) (b) to a person named as a prospective successor  
7 guardian of the child in a subsidized guardianship agreement or amended subsidized  
8 guardianship agreement that was entered into before the death or incapacity of the  
9 guardian if all of the following conditions are met and the court appoints the person  
10 as successor guardian to assume the duty and authority of guardianship as provided  
11 in s. 48.977 (5m):

12           1. The county department, Indian tribe, or department determines that the  
13 child, if 14 years of age or over, has been consulted with regarding the successor  
14 guardianship arrangement.

15           2. The county department, Indian tribe, or department determines that the  
16 person has a strong commitment to caring permanently for the child.

17           3. The county department, Indian tribe, or department inspects the home of the  
18 person, interviews the person, and determines that placement of the child with the  
19 person is in the best interests of the child. In the case of an Indian child, the best  
20 interests of the Indian child shall be determined in accordance with s. 48.01 (2).

21           4. Prior to being appointed as successor guardian to assume the duty and  
22 authority of guardianship, the person enters into a subsidized guardianship  
23 agreement under sub. (2) with the county department, Indian tribe, or department.

24           5. Prior to the person entering into the subsidized guardianship agreement, the  
25 county department, Indian tribe, or department conducts a background

1 investigation under s. 48.685 of the person and any nonclient resident, as defined in  
2 s. 48.685 (1) (bm), of the home of the person and determines that those individuals  
3 meet the requirements specified in s. 48.685. The county department, Indian tribe,  
4 or department shall provide the department of health services with information  
5 about each person who is denied monthly subsidized guardianship payments or  
6 permission to reside in the home of a person receiving those payments for a reason  
7 specified in s. 48.685 (4m) (a) 1. to 5. or (b) 1. to 5.

8 **SECTION 577.** 48.623 (7) (b) of the statutes is amended to read:

9 48.623 (7) (b) Rules establishing requirements for submitting a request under  
10 sub. (3) (c) 1. and criteria for determining the amount of the increase in monthly  
11 subsidized guardianship payments that a county department, an Indian tribe, or the  
12 department shall offer if there has been a substantial change in circumstances and  
13 if there has been no substantiated report of abuse or neglect of the child by the person  
14 receiving those payments.

15 **SECTION 578.** 48.623 (8) of the statutes is created to read:

16 48.623 (8) TRIBAL AGREEMENTS. (a) The department may enter into an  
17 agreement with the governing body of an Indian tribe to allow that governing body  
18 to administer subsidized guardianships ordered by a tribal court under a tribal law  
19 substantially similar to s. 48.977 (2) and to be reimbursed by the department for  
20 eligible tribal subsidized guardianship payments. An agreement under this  
21 paragraph shall require the governing body of an Indian tribe to comply with all  
22 requirements for administering subsidized guardianship that apply to counties and  
23 the department, including eligibility.

24 (b) A county department may provide the monthly payments under sub. (1) or  
25 (6) for guardianships of children ordered by the tribal court if the county department

1 has entered into an agreement with the governing body of an Indian tribe to provide  
2 those payments.

3 **SECTION 579.** 48.685 (5) (a) of the statutes is amended to read:

4 48.685 (5) (a) Subject to par. (bm), the department may license to operate an  
5 entity, a county department or a child welfare agency may license to operate a foster  
6 home under s. 48.62, the department in a county having a population of 750,000 or  
7 more, an Indian tribe, or a county department may provide subsidized guardianship  
8 payments under s. 48.623 (6) to a person who otherwise may not be so licensed or  
9 provided those payments for a reason specified in sub. (4m) (a) 1. to 5., and an entity  
10 may employ, contract with, or permit to reside at the entity or permit to reside with  
11 a caregiver specified in sub. (1) (ag) 1. am. of the entity a person who otherwise may  
12 not be so employed, provided payments, or permitted to reside at the entity or with  
13 that caregiver for a reason specified in sub. (4m) (b) 1. to 5., if the person  
14 demonstrates to the department, county department, or child welfare agency or, in  
15 the case of an entity that is located within the boundaries of a reservation, to the  
16 person or body designated by the Indian tribe under sub. (5d) (a) 3., by clear and  
17 convincing evidence and in accordance with procedures established by the  
18 department by rule or by the tribe that he or she has been rehabilitated.

19 **SECTION 580.** 48.977 (3r) (a) of the statutes is amended to read:

20 48.977 (3r) (a) *Guardian.* Subsidized guardianship payments under s. 48.623  
21 (1) may not be made to a guardian of a child unless a subsidized guardianship  
22 agreement under s. 48.623 (2) is entered into before the guardianship order is  
23 granted and the court either terminates any order specified in sub. (2) (a) or  
24 dismisses any proceeding in which the child has been adjudicated in need of  
25 protection or services as specified in sub. (2) (a). If a child's permanency plan calls



1 for placement of the child in the home of a guardian and the provision of monthly  
2 subsidized guardianship payments to the guardian, the petitioner under sub. (4) (a)  
3 shall include in the petition under sub. (4) (b) a statement of the determinations  
4 made under s. 48.623 (1) and a request for the court to include in the court's findings  
5 under sub. (4) (d) a finding confirming those determinations. If the court confirms  
6 those determinations, appoints a guardian for the child under sub. (2), and either  
7 terminates any order specified in sub. (2) (a) or dismisses any proceeding in which  
8 the child is adjudicated to be in need of protection or services as specified in sub. (2)  
9 (a), the county department or, as provided in s. 48.623 (3) (a), an Indian tribe or the  
10 department shall provide monthly subsidized guardianship payments to the  
11 guardian under s. 48.623 (1).

12 **SECTION 581.** 48.977 (3r) (b) of the statutes is amended to read:

13 48.977 (3r) (b) *Successor guardian.* Subsidized guardianship payments under  
14 s. 48.623 (6) (bm) may not be made to a successor guardian of a child unless the court  
15 makes a finding confirming that the successor guardian is named as a prospective  
16 successor guardian of the child in a subsidized guardianship agreement or amended  
17 subsidized guardianship agreement under s. 48.623 (2) that was entered into before  
18 the death or incapacity of the guardian and that the conditions specified in s. 48.623  
19 (6) (bm) have been met, appoints the successor guardian to assume the duty and  
20 authority of guardianship as provided in sub. (5m), and either terminates any order  
21 specified in sub. (2) (a) or dismisses any proceeding in which the child has been  
22 adjudicated in need of protection or services as specified in sub. (2) (a). If the court  
23 makes that finding and appointment and either terminates such an order or  
24 dismisses such a proceeding, the county department or, as provided in s. 48.623 (3)

1 (a), an Indian tribe or the department shall provide monthly subsidized  
2 guardianship payments to the successor guardian under s. 48.623 (6) (bm).”.

3 **162.** Page 374, line 11: after that line insert:

4 “**SECTION 582.** 230.26 (4) of the statutes is amended to read:

5 230.26 (4) Fringe benefits specifically authorized by statutes, with the  
6 exception of leave of absence with pay owing to sickness, deferred compensation plan  
7 participation under subch. VII of ch. 40, worker’s compensation, unemployment  
8 insurance, group insurance, retirement, and social security coverage, shall be denied  
9 employees hired under this section. Such employees may not be considered  
10 permanent employees and do not qualify for tenure, vacation, paid holidays, sick  
11 leave, performance awards, or the right to compete in promotional processes.

12 **SECTION 583.** 230.35 (2) of the statutes is amended to read:

13 230.35 (2) Leave of absence with pay owing to sickness and leave of absence  
14 without pay, other than annual leave and leave under s. 103.10, shall be regulated  
15 by rules of the administrator, except that unused sick leave shall accumulate from  
16 year to year. Employees appointed under s. 230.26 (1) shall accrue leave of absence  
17 with pay owing to sickness at the same rate as permanent and project state  
18 employees, and such leave shall be prorated if the employee works less than  
19 full-time. After July 1, 1973, employees appointed to career executive positions  
20 under the program established under s. 230.24 or positions designated in s. 19.42  
21 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have  
22 any unused sick leave credits restored if they are reemployed in a career executive  
23 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or  
24 authorized under s. 230.08 (2) (e), regardless of the duration of their absence.

1 Restoration of unused sick leave credits if reemployment is to a position other than  
2 those specified above shall be in accordance with rules of the administrator.

3 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**  
4 **System.**

5 (1k) PAID SICK LEAVE FOR TEMPORARY EMPLOYEES. The Board of Regents of the  
6 University of Wisconsin System shall submit to the administrator of the division of  
7 personnel management in the department of administration, with its  
8 recommendations for adjustments to compensation and employee benefits for  
9 employees of the system under s. 230.12 (3) (e) 1. for the 2023-25 fiscal biennium,  
10 a plan to provide paid sick leave benefits to temporary employees of the system. The  
11 plan shall provide sick leave benefits at the same rate such benefits are provided to  
12 permanent and project employees of the system.”.

13 **163.** Page 374, line 11: after that line insert:

14 **“SECTION 9214. Fiscal changes; Employment Relations Commission.**

15 (1k) GENERAL BUDGET ADJUSTMENTS. In the schedule under s. 20.005 (3) for the  
16 appropriation to the employment relations commission under s. 20.425 (1) (a), the  
17 dollar amount for fiscal year 2023-24 is decreased by \$4,800 to adjust for funding of  
18 continuing position salaries, fringe benefits, lease and directed moves costs, and  
19 transfers from permanent property to supplies and services. In the schedule under  
20 s. 20.005 (3) for the appropriation to the employment relations commission under s.  
21 20.425 (1) (a), the dollar amount for fiscal year 2024-25 is decreased by \$3,000 to  
22 adjust for funding of continuing position salaries, fringe benefits, lease and directed  
23 moves costs, and transfers from permanent property to supplies and services.”.

24 **164.** Page 374, line 11: after that line insert:

1           **SECTION 584.** 20.425 (1) (i) of the statutes is amended to read:

2           20.425 (1) (i) *Fees, collective bargaining training, publications, and appeals.*

3           The amounts in the schedule for the performance of fact-finding, mediation,  
4           certification, and arbitration functions, for the provision of copies of transcripts, for  
5           the cost of operating training programs under ss. 111.09 (3), 111.71 (5m), and 111.94  
6           (3), for the preparation of publications, transcripts, reports, and other copied  
7           material, and for costs related to conducting appeals under s. 230.45. All moneys  
8           received under ss. 111.09 (1) and (2), ~~111.70 (4) (d) 3. b.,~~ 111.71 (1) and (2), ~~111.83 (3)~~  
9           ~~(b),~~ 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and  
10           arbitration panel members, and individuals who are interested in serving in such  
11           positions, and from individuals and organizations who participate in other collective  
12           bargaining training programs conducted by the commission, and all moneys received  
13           from the sale of publications, transcripts, reports, and other copied material shall be  
14           credited to this appropriation account.

15           **SECTION 585.** 20.505 (1) (ks) of the statutes is amended to read:

16           20.505 (1) (ks) *Collective bargaining grievance arbitrations.* The amounts in  
17           the schedule for the payment of the state's share of costs related to collective  
18           bargaining grievance arbitrations under s. 111.86. All moneys received from state  
19           agencies or authorities for the purpose of reimbursing the state's share of the costs  
20           related to grievance arbitrations under s. 111.86 and to reimburse the state's share  
21           of costs for training related to grievance arbitrations shall be credited to this  
22           appropriation account.

23           **SECTION 586.** 20.921 (1) (a) 2. of the statutes is amended to read:

1           20.921 (1) (a) 2. If the state employee is a public safety employee under s. 111.81  
2           (15r) or is in a collective bargaining unit containing a *frontline* worker under s. 111.81  
3           (9b), payment of dues to employee organizations.

4           **SECTION 587.** 40.51 (7) (a) of the statutes is amended to read:

5           40.51 (7) (a) Any employer, other than the state, including an employer that  
6           is not a participating employer, may offer to all of its employees a health care  
7           coverage plan through a program offered by the group insurance board.  
8           Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule  
9           establish different eligibility standards or contribution requirements for such  
10          employees and employers. Beginning on January 1, 2012, except as otherwise  
11          provided in a collective bargaining agreement under subch. IV of ch. 111 that covers  
12          public safety employees or transit employees and except as provided in par. (b), an  
13          employer may not offer a health care coverage plan to its employees under this  
14          subsection if the employer pays more than 88 percent of the average premium cost  
15          of plans offered in any tier with the lowest employee premium cost under this  
16          subsection.

17          **SECTION 588.** 46.2895 (8) (a) 1. of the statutes is amended to read:

18          46.2895 (8) (a) 1. If the long-term care district offers employment to any  
19          individual who was previously employed by a county, which participated in creating  
20          the district and at the time of the offer had not withdrawn or been removed from the  
21          district under sub. (14), and who while employed by the county performed duties  
22          relating to the same or a substantially similar function for which the individual is  
23          offered employment by the district and ~~whose wages were established in~~ who was  
24          covered by a collective bargaining agreement with the county under subch. IV of ch.  
25          111 that is in effect on the date that the individual commences employment with the

1 district, with respect to that individual, abide by the terms of the collective  
2 bargaining agreement ~~concerning the individual's wages~~ until the time of the  
3 expiration of that collective bargaining agreement or adoption of a collective  
4 bargaining agreement with the district under subch. IV of ch. 111 covering the  
5 individual as an employee of the district, whichever occurs first.

6 **SECTION 589.** 109.03 (1) (b) of the statutes is amended to read:

7 109.03 (1) (b) School district employees, cooperative educational service agency  
8 employees, and private school employees who voluntarily request payment over a  
9 12-month period for personal services performed during the school year, unless, ~~with~~  
10 ~~respect to private school employees,~~ the employees are covered under a valid  
11 collective bargaining agreement which precludes this method of payment.

12 **SECTION 590.** 111.70 (1) (a) of the statutes is amended to read:

13 111.70 (1) (a) "Collective bargaining" means the performance of the mutual  
14 obligation of a municipal employer, through its officers and agents, and the  
15 representative of its municipal employees in a collective bargaining unit, to meet and  
16 confer at reasonable times, in good faith, with the intention of reaching an  
17 agreement, or to resolve questions arising under such an agreement, with respect to  
18 wages, hours, and conditions of employment for public safety employees ~~or, for~~  
19 ~~transit employees and, or for municipal employees in a collective bargaining unit~~  
20 that contains a frontline worker; with respect to wages for general municipal  
21 employees, who are in a collective bargaining unit that does not contain a frontline  
22 worker; and with respect to a requirement of the municipal employer for a municipal  
23 employee to perform law enforcement and fire fighting services under s. 60.553,  
24 61.66, or 62.13 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and  
25 except that a municipal employer shall not meet and confer with respect to any

1 proposal to diminish or abridge the rights guaranteed to any public safety employees  
2 under ch. 164. Collective bargaining includes the reduction of any agreement  
3 reached to a written and signed document.

4 **SECTION 591.** 111.70 (1) (f) of the statutes is amended to read:

5 111.70 (1) (f) “Fair-share agreement” means an agreement between a  
6 municipal employer and a labor organization that represents public safety  
7 employees ~~or~~, transit employees, or a frontline worker under which all or any of the  
8 public safety employees or transit employees in the collective bargaining unit or all  
9 or any of the employees in a collective bargaining unit containing a frontline worker  
10 are required to pay their proportionate share of the cost of the collective bargaining  
11 process and contract administration measured by the amount of dues uniformly  
12 required of all members.

13 **SECTION 592.** 111.70 (1) (fd) of the statutes is created to read:

14 111.70 (1) (fd) “Frontline worker” means a municipal employee who is  
15 determined to be a frontline worker under sub. (4) (bm) 2.

16 **SECTION 593.** 111.70 (1) (fm) of the statutes is amended to read:

17 111.70 (1) (fm) “General municipal employee” means a municipal employee  
18 who is not a public safety employee ~~or~~, a transit employee, or a frontline worker.

19 **SECTION 594.** 111.70 (1) (n) of the statutes is amended to read:

20 111.70 (1) (n) “Referendum” means a proceeding conducted by the commission  
21 in which public safety employees or transit employees in a collective bargaining unit  
22 or municipal employees in a collective bargaining unit containing a frontline worker  
23 may cast a secret ballot on the question of authorizing a labor organization and the  
24 employer to continue a fair-share agreement.

25 **SECTION 595.** 111.70 (1) (p) of the statutes is amended to read:

1           111.70 (1) (p) “Transit employee” means a municipal employee who is  
2 determined to be a transit employee under sub. (4) (bm) 1.

3           **SECTION 596.** 111.70 (2) of the statutes is renumbered 111.70 (2) (a) and  
4 amended to read:

5           111.70 (2) (a) Municipal employees have the right of self-organization, and the  
6 right to form, join, or assist labor organizations, to bargain collectively through  
7 representatives of their own choosing, and to engage in lawful, concerted activities  
8 for the purpose of collective bargaining or other mutual aid or protection. Municipal  
9 employees have the right to refrain from any and all such activities. A general  
10 municipal employee may not be covered by a fair-share agreement unless the  
11 general municipal employee is in a collective bargaining unit containing a frontline  
12 worker. Unless the general municipal employee is covered by a fair-share  
13 agreement, a general municipal employee has the right to refrain from paying dues  
14 while remaining a member of a collective bargaining unit. A public safety employee  
15 ~~or, a transit employee, however,~~ or a municipal employee in a collective bargaining  
16 unit containing a frontline worker may be covered by a fair-share agreement and be  
17 required to pay dues in the manner provided in ~~a~~ the fair-share agreement; a  
18 fair-share agreement ~~covering a public safety employee or a transit employee~~ must  
19 contain a provision requiring the municipal employer to deduct the amount of dues  
20 as certified by the labor organization from the earnings of the employee affected by  
21 the fair-share agreement and to pay the amount deducted to the labor organization.  
22 A fair-share agreement ~~covering a public safety employee or transit employee~~ is  
23 subject to the right of the municipal employer or a labor organization to petition the  
24 commission to conduct a referendum. Such petition must be supported by proof that  
25 at least 30 percent of the employees in the collective bargaining unit desire that the



1 fair-share agreement be terminated. Upon so finding, the commission shall conduct  
2 a referendum. If the continuation of the agreement is not supported by at least the  
3 majority of the eligible employees, it shall terminate. The commission shall declare  
4 any fair-share agreement suspended upon such conditions and for such time as the  
5 commission decides whenever it finds that the labor organization involved has  
6 refused on the basis of race, color, sexual orientation, creed, or sex to receive as a  
7 member any ~~public safety employee or transit~~ eligible municipal employee of the  
8 ~~municipal employer~~ in the bargaining unit involved, and such agreement is subject  
9 to this duty of the commission. Any of the parties to such agreement or any ~~public~~  
10 ~~safety employee or transit~~ municipal employee covered by the agreement may come  
11 before the commission, as provided in s. 111.07, and ask the performance of this duty.

12 **SECTION 597.** 111.70 (2) (b) of the statutes is created to read:

13 111.70 (2) (b) General municipal employees who are not in a collective  
14 bargaining unit containing a frontline worker have the right to have their municipal  
15 employer consult with them, through a representative of their own choosing, with no  
16 intention of reaching an agreement, with respect to wages, hours, and conditions of  
17 employment. The right may be exercised either when the municipal employer  
18 proposes or implements policy changes affecting wages, hours, or conditions of  
19 employment or, if no policy changes are proposed or implemented, at least quarterly.

20 **SECTION 598.** 111.70 (3) (a) 3. of the statutes is amended to read:

21 111.70 (3) (a) 3. To encourage or discourage a membership in any labor  
22 organization by discrimination in regard to hiring, tenure, or other terms or  
23 conditions of employment; but the prohibition shall not apply to a fair-share  
24 agreement ~~that covers public safety employees or transit employees.~~

25 **SECTION 599.** 111.70 (3) (a) 5. of the statutes is amended to read:

1           111.70 (3) (a) 5. To violate any collective bargaining agreement previously  
2 agreed upon by the parties with respect to wages, hours, and conditions of  
3 employment affecting public safety employees ~~or~~, transit employees, or municipal  
4 employees in a collective bargaining unit containing a frontline worker, including an  
5 agreement to arbitrate questions arising as to the meaning or application of the  
6 terms of a collective bargaining agreement or to accept the terms of such arbitration  
7 award, where previously the parties have agreed to accept such award as final and  
8 binding upon them or to violate any collective bargaining agreement affecting a  
9 collective bargaining unit containing only general municipal employees, that was  
10 previously agreed upon by the parties with respect to wages.

11           **SECTION 600.** 111.70 (3) (a) 6. of the statutes is amended to read:

12           111.70 (3) (a) 6. To deduct labor organization dues from the earnings of a public  
13 safety employee ~~or~~, a transit employee, or a municipal employee who is in a collective  
14 bargaining unit containing a frontline worker unless the municipal employer has  
15 been presented with an individual order therefor, signed by the employee personally,  
16 and terminable by at least the end of any year of its life or earlier by the ~~public safety~~  
17 ~~employee or transit~~ municipal employee giving at least 30 days' written notice of such  
18 termination to the municipal employer and to the representative organization,  
19 except when a fair-share agreement is in effect.

20           **SECTION 601.** 111.70 (3) (a) 9. of the statutes is amended to read:

21           111.70 (3) (a) 9. If the collective bargaining unit contains a public safety  
22 employee ~~or~~, transit employee, or frontline worker, after a collective bargaining  
23 agreement expires and before another collective bargaining agreement takes effect,  
24 to fail to follow any fair-share agreement in the expired collective bargaining  
25 agreement.

1           **SECTION 602.** 111.70 (3g) of the statutes is amended to read:

2           111.70 **(3g)** WAGE DEDUCTION PROHIBITION. A municipal employer may not  
3 deduct labor organization dues from the earnings of a general municipal employee,  
4 unless the general municipal employee is in a collective bargaining unit that  
5 contains a frontline worker, or from the earnings of a supervisor.

6           **SECTION 603.** 111.70 (4) (bm) (title) of the statutes is amended to read:

7           111.70 **(4)** (bm) (title) *Transit employee or frontline worker determination.*

8           **SECTION 604.** 111.70 (4) (bm) of the statutes is renumbered 111.70 (4) (bm) 1.

9           **SECTION 605.** 111.70 (4) (bm) 2. of the statutes is created to read:

10          111.70 **(4)** (bm) 2. The commission shall determine that a municipal employee  
11 is a frontline worker if the commission finds that the municipal employee has regular  
12 job duties that include interacting with members of the public or with large  
13 populations of people or that directly involve the maintenance of public works. The  
14 commission may not determine that a public safety employee or a transit employee  
15 is a frontline worker.

16          **SECTION 606.** 111.70 (4) (cg) (title), 1., 2., 3., 4. and 5. of the statutes are  
17 amended to read:

18          111.70 **(4)** (cg) (title) *Methods for peaceful settlement of disputes; transit*  
19 *employees and municipal employees in a collective bargaining unit containing a*  
20 *frontline worker.* 1. 'Notice of commencement of contract negotiations.' To advise the  
21 commission of the commencement of contract negotiations involving a collective  
22 bargaining unit containing transit employees or a collective bargaining unit  
23 containing a frontline worker, whenever either party requests the other to reopen  
24 negotiations under a binding collective bargaining agreement, or the parties  
25 otherwise commence negotiations if no collective bargaining agreement exists, the

1 party requesting negotiations shall immediately notify the commission in writing.  
2 Upon failure of the requesting party to provide notice, the other party may provide  
3 notice to the commission. The notice shall specify the expiration date of the existing  
4 collective bargaining agreement, if any, and shall provide any additional information  
5 the commission may require on a form provided by the commission.

6 2. 'Presentation of initial proposals; open meetings.' The meetings between  
7 parties to a collective bargaining agreement or proposed collective bargaining  
8 agreement under this subchapter that involve a collective bargaining unit  
9 containing a transit employee or a frontline worker and that are held to present  
10 initial bargaining proposals, along with supporting rationale, are open to the public.  
11 Each party shall submit its initial bargaining proposals to the other party in writing.  
12 Failure to comply with this subdivision does not invalidate a collective bargaining  
13 agreement under this subchapter.

14 3. 'Mediation.' The commission or its designee shall function as mediator in  
15 labor disputes involving transit employees or municipal employees in a collective  
16 bargaining unit containing a frontline worker upon request of one or both of the  
17 parties, or upon initiation of the commission. The function of the mediator is to  
18 encourage voluntary settlement by the parties. No mediator has the power of  
19 compulsion.

20 4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or  
21 application of the terms of a written collective bargaining agreement involving a  
22 collective bargaining unit containing a transit employee or a frontline worker may  
23 agree in writing to have the commission or any other appropriate agency serve as  
24 arbitrator or may designate any other competent, impartial, and disinterested  
25 person to serve as an arbitrator.

1           5. 'Voluntary impasse resolution procedures.' In addition to the other impasse  
2 resolution procedures provided in this paragraph, a municipal employer that  
3 employs a transit employee or a municipal employee in a collective bargaining unit  
4 containing a frontline worker and a labor organization may at any time, as a  
5 permissive subject of bargaining, agree in writing to a dispute settlement procedure,  
6 including binding interest arbitration, which is acceptable to the parties for  
7 resolving an impasse over terms of any collective bargaining agreement under this  
8 subchapter. The parties shall file a copy of the agreement with the commission. If  
9 the parties agree to any form of binding interest arbitration, the arbitrator shall give  
10 weight to the factors enumerated under subds. 7. and 7g.

11           **SECTION 607.** 111.70 (4) (cg) 6. a. of the statutes is amended to read:

12           111.70 (4) (cg) 6. a. If, in any collective bargaining unit containing transit  
13 employees or a frontline worker, a dispute has not been settled after a reasonable  
14 period of negotiation and after mediation by the commission under subd. 3. and other  
15 settlement procedures, if any, established by the parties have been exhausted, and  
16 the parties are deadlocked with respect to any dispute between them over wages,  
17 hours, or conditions of employment to be included in a new collective bargaining  
18 agreement, either party, or the parties jointly, may petition the commission, in  
19 writing, to initiate compulsory, final, and binding arbitration, as provided in this  
20 paragraph. At the time the petition is filed, the petitioning party shall submit in  
21 writing to the other party and the commission its preliminary final offer containing  
22 its latest proposals on all issues in dispute. Within 14 calendar days after the date  
23 of that submission, the other party shall submit in writing its preliminary final offer  
24 on all disputed issues to the petitioning party and the commission. If a petition is

1 filed jointly, both parties shall exchange their preliminary final offers in writing and  
2 submit copies to the commission when the petition is filed.

3 **SECTION 608.** 111.70 (4) (cg) 7r. d., e. and f. of the statutes are amended to read:

4 111.70 (4) (cg) 7r. d. Comparison of wages, hours, and conditions of employment  
5 of the ~~transit~~ municipal employees involved in the arbitration proceedings with the  
6 wages, hours, and conditions of employment of other employees performing similar  
7 services.

8 e. Comparison of the wages, hours, and conditions of employment of the ~~transit~~  
9 municipal employees involved in the arbitration proceedings with the wages, hours,  
10 and conditions of employment of other employees generally in public employment in  
11 the same community and in comparable communities.

12 f. Comparison of the wages, hours, and conditions of employment of the ~~transit~~  
13 municipal employees involved in the arbitration proceedings with the wages, hours,  
14 and conditions of employment of other employees in private employment in the same  
15 community and in comparable communities.

16 **SECTION 609.** 111.70 (4) (cg) 7r. h. of the statutes is amended to read:

17 111.70 (4) (cg) 7r. h. The overall compensation presently received by the ~~transit~~  
18 municipal employees involved in the arbitration proceedings, including direct wage  
19 compensation, vacation, holidays, and excused time, insurance and pensions,  
20 medical and hospitalization benefits, the continuity and stability of employment,  
21 and all other benefits received.

22 **SECTION 610.** 111.70 (4) (cg) 8m. of the statutes is amended to read:

23 111.70 (4) (cg) 8m. "Term of agreement; reopening of negotiations." Except for  
24 the initial collective bargaining agreement between the parties and except as the  
25 parties otherwise agree, every collective bargaining agreement covering transit

1 employees or a frontline worker shall be for a term of 2 years, but in no case may a  
2 collective bargaining agreement for any collective bargaining unit consisting of  
3 ~~transit employees~~ subject to this paragraph be for a term exceeding 3 years. No  
4 arbitration award involving transit employees or a frontline worker may contain a  
5 provision for reopening of negotiations during the term of a collective bargaining  
6 agreement, unless both parties agree to such a provision. The requirement for  
7 agreement by both parties does not apply to a provision for reopening of negotiations  
8 with respect to any portion of an agreement that is declared invalid by a court or  
9 administrative agency or rendered invalid by the enactment of a law or promulgation  
10 of a federal regulation.

11 **SECTION 611.** 111.70 (4) (d) 1. of the statutes is amended to read:

12 111.70 (4) (d) 1. A representative chosen for the purposes of collective  
13 bargaining by a majority of the ~~public safety employees or transit~~ municipal  
14 employees voting in a collective bargaining unit shall be the exclusive representative  
15 of all employees in the unit for the purpose of collective bargaining. ~~A representative~~  
16 ~~chosen for the purposes of collective bargaining by at least 51 percent of the general~~  
17 ~~municipal employees in a collective bargaining unit shall be the exclusive~~  
18 ~~representative of all employees in the unit for the purpose of collective bargaining.~~  
19 Any individual employee, or any minority group of employees in any collective  
20 bargaining unit, shall have the right to present grievances to the municipal employer  
21 in person or through representatives of their own choosing, and the municipal  
22 employer shall confer with the employee in relation thereto, if the majority  
23 representative has been afforded the opportunity to be present at the conferences.  
24 Any adjustment resulting from these conferences may not be inconsistent with the

1 conditions of employment established by the majority representative and the  
2 municipal employer.

3 **SECTION 612.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

4 111.70 (4) (d) 2. a. The commission shall determine the appropriate collective  
5 bargaining unit for the purpose of collective bargaining and shall whenever possible  
6 avoid fragmentation by maintaining as few collective bargaining units as practicable  
7 in keeping with the size of the total municipal workforce. The commission may  
8 decide whether, in a particular case, the municipal employees in the same or several  
9 departments, divisions, institutions, crafts, professions, or other occupational  
10 groupings constitute a collective bargaining unit. Before making its determination,  
11 the commission may provide an opportunity for the municipal employees concerned  
12 to determine, by secret ballot, whether they desire to be established as a separate  
13 collective bargaining unit. The commission may not decide, however, that any group  
14 of municipal employees constitutes an appropriate collective bargaining unit if the  
15 group includes both professional employees and nonprofessional employees, unless  
16 a majority of the professional employees vote for inclusion in the unit. The  
17 commission may not decide that any group of municipal employees constitutes an  
18 appropriate collective bargaining unit if the group includes both school district  
19 employees and general municipal employees who are not school district employees.  
20 ~~The commission may not decide that any group of municipal employees constitutes~~  
21 ~~an appropriate collective bargaining unit if the group includes both public safety~~  
22 ~~employees and general municipal employees, if the group includes both transit~~  
23 ~~employees and general municipal employees, or if the group includes both transit~~  
24 ~~employees and public safety employees place public safety employees in a collective~~  
25 ~~bargaining unit with employees who are not public safety employees or place transit~~



1 employees in a collective bargaining unit with employees who are not transit  
2 employees. The commission may place frontline workers in a collective bargaining  
3 unit with municipal employees who are not frontline workers if the commission  
4 determines it is appropriate; if the commission places in a collective bargaining unit  
5 frontline workers and municipal employees who are not frontline workers, the  
6 collective bargaining unit is treated as if all employees in the collective bargaining  
7 unit are frontline workers. The commission may not decide that any group of  
8 municipal employees constitutes an appropriate collective bargaining unit if the  
9 group includes both craft employees and noncraft employees unless a majority of the  
10 craft employees vote for inclusion in the unit. The commission shall place the  
11 professional employees who are assigned to perform any services at a charter school,  
12 as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that  
13 includes any other professional employees whenever at least 30 percent of those  
14 professional employees request an election to be held to determine that issue and a  
15 majority of the professional employees at the charter school who cast votes in the  
16 election decide to be represented in a separate collective bargaining unit.

17 **SECTION 613.** 111.70 (4) (d) 3. a. and c. of the statutes are consolidated and  
18 renumbered 111.70 (4) (d) 3.

19 **SECTION 614.** 111.70 (4) (d) 3. b. of the statutes is repealed.

20 **SECTION 615.** 111.70 (4) (mb) (intro.) of the statutes is amended to read:

21 111.70 (4) (mb) *Prohibited subjects of bargaining; general municipal employees.*  
22 (intro.) The municipal employer is prohibited from bargaining collectively with a  
23 collective bargaining unit containing ~~a~~ only general municipal employee employees  
24 with respect to any of the following:

25 **SECTION 616.** 111.70 (4) (mbb) of the statutes is amended to read:

1           111.70 (4) (mbb) *Consumer price index change.* For purposes of determining  
2 compliance with par. (mb), the commission shall provide, upon request, to a  
3 municipal employer or to any representative of a collective bargaining unit  
4 containing ~~a~~ only general municipal employee employees, the consumer price index  
5 change during any 12-month period. The commission may get the information from  
6 the department of revenue.

7           **SECTION 617.** 111.70 (4) (p) of the statutes is amended to read:

8           111.70 (4) (p) *Permissive subjects of collective bargaining; public safety and*  
9 *employees, transit employees, and municipal employees in a collective bargaining*  
10 *unit containing a frontline worker.* A municipal employer is not required to bargain  
11 with public safety employees ~~or~~, transit employees, or municipal employees in a  
12 collective bargaining unit containing a frontline worker on subjects reserved to  
13 management and direction of the governmental unit except insofar as the manner  
14 of exercise of such functions affects the wages, hours, and conditions of employment  
15 of the public safety employees ~~or~~ in a collective bargaining unit, of the transit  
16 employees in a collective bargaining unit, or of the municipal employees in the  
17 collective bargaining unit containing a frontline worker, whichever is appropriate.

18           **SECTION 618.** 111.70 (7m) (c) 1. a. of the statutes is amended to read:

19           111.70 (7m) (c) 1. a. Any labor organization that represents public safety  
20 employees ~~or~~, transit employees, or a frontline worker which violates sub. (4) (L) may  
21 not collect any dues under a collective bargaining agreement or under a fair-share  
22 agreement from any employee covered by either agreement for a period of one year.  
23 At the end of the period of suspension, any such agreement shall be reinstated unless  
24 the labor organization is no longer authorized to represent the ~~public safety~~

1 employees or transit municipal employees covered by the collective bargaining  
2 agreement or fair-share agreement or the agreement is no longer in effect.

3 **SECTION 619.** 111.81 (1) of the statutes is renumbered 111.81 (1s) and amended  
4 to read:

5 111.81 (1s) “Collective bargaining” means the performance of the mutual  
6 obligation of the state as an employer, by its officers and agents, and the  
7 representatives of its employees, to meet and confer at reasonable times, in good  
8 faith, with respect to the subjects of bargaining provided in s. 111.91 (1), ~~with respect~~  
9 ~~to~~ for public safety employees, with respect to the subjects of bargaining provided in  
10 s. 111.91 (1w) for employees in a collective bargaining unit containing a frontline  
11 worker, and with respect to the subjects of bargaining provided in s. 111.91 (3), ~~with~~  
12 ~~respect to~~ for general employees who are in a collective bargaining unit that does not  
13 contain a frontline worker, with the intention of reaching an agreement, or to resolve  
14 questions arising under such an agreement. The duty to bargain, however, does not  
15 compel either party to agree to a proposal or require the making of a concession.  
16 Collective bargaining includes the reduction of any agreement reached to a written  
17 and signed document.

18 **SECTION 620.** 111.81 (1d) of the statutes is created to read:

19 111.81 (1d) “Authority” means a body created under subch. II of ch. 114 or ch.  
20 231, 232, 233, 234, 237, 238, or 279.

21 **SECTION 621.** 111.81 (7) (ag) of the statutes is created to read:

22 111.81 (7) (ag) An employee of an authority.

23 **SECTION 622.** 111.81 (8) of the statutes is amended to read:

24 111.81 (8) “Employer” means the state of Wisconsin and includes an authority.

25 **SECTION 623.** 111.81 (9) of the statutes is amended to read:

1           111.81 (9) “Fair-share agreement” means an agreement between the employer  
2 and a labor organization representing public safety employees or a frontline worker  
3 under which all of the public safety employees in the collective bargaining unit or all  
4 of the employees in a collective bargaining unit containing a frontline worker are  
5 required to pay their proportionate share of the cost of the collective bargaining  
6 process and contract administration measured by the amount of dues uniformly  
7 required of all members.

8           **SECTION 624.** 111.81 (9b) of the statutes is created to read:

9           111.81 (9b) “Frontline worker” means an employee who is determined to be a  
10 frontline worker under s. 111.817.

11           **SECTION 625.** 111.81 (9g) of the statutes is amended to read:

12           111.81 (9g) “General employee” means an employee who is not a public safety  
13 employee or a frontline worker.

14           **SECTION 626.** 111.81 (12) (intro.) of the statutes is amended to read:

15           111.81 (12) (intro.) “Labor organization” means any employee organization  
16 whose purpose is to represent employees in collective bargaining with the employer,  
17 or its agents, on matters that are subject to collective bargaining under s. 111.91 (1),  
18 (1w), or (3), whichever is applicable; but the term shall not include any organization:

19           **SECTION 627.** 111.81 (12m) of the statutes is amended to read:

20           111.81 (12m) “Maintenance of membership agreement” means an agreement  
21 between the employer and a labor organization representing public safety employees  
22 or a frontline worker which requires that all of the public safety employees or  
23 employees who are in a collective bargaining unit containing a frontline worker  
24 whose dues are being deducted from earnings under s. 20.921 (1) or 111.84 (1) (f) at  
25 the time the agreement takes effect shall continue to have dues deducted for the

1 duration of the agreement, and that dues shall be deducted from the earnings of all  
2 ~~public safety~~ such employees who are hired on or after the effective date of the  
3 agreement.

4 **SECTION 628.** 111.81 (16) of the statutes is amended to read:

5 111.81 (16) "Referendum" means a proceeding conducted by the commission in  
6 which public safety employees in a collective bargaining unit or all employees in a  
7 collective bargaining unit containing a frontline worker may cast a secret ballot on  
8 the question of directing the labor organization and the employer to enter into a  
9 fair-share or maintenance of membership agreement or to terminate such an  
10 agreement.

11 **SECTION 629.** 111.815 (1) of the statutes is amended to read:

12 111.815 (1) In the furtherance of this subchapter, the state shall be considered  
13 as a single employer and employment relations policies and practices throughout the  
14 state service shall be as consistent as practicable. The division shall negotiate and  
15 administer collective bargaining agreements. To coordinate the employer position  
16 in the negotiation of agreements, the division shall maintain close liaison with the  
17 legislature relative to the negotiation of agreements and the fiscal ramifications of  
18 those agreements. Except with respect to the collective bargaining units specified  
19 in s. 111.825 (1r) and (1t), the division is responsible for the employer functions of the  
20 executive branch under this subchapter, and shall coordinate its collective  
21 bargaining activities with operating state agencies on matters of agency concern and  
22 with operating authorities on matters of authority concern. The legislative branch  
23 shall act upon those portions of tentative agreements negotiated by the division that  
24 require legislative action. With respect to the collective bargaining units specified  
25 in s. 111.825 (1r), the Board of Regents of the University of Wisconsin System is

1 responsible for the employer functions under this subchapter. With respect to the  
2 collective bargaining units specified in s. 111.825 (1t), the chancellor of the  
3 University of Wisconsin-Madison is responsible for the employer functions under  
4 this subchapter. With respect to the collective bargaining unit specified in s. 111.825  
5 (1r) (ef), the governing board of the charter school established by contract under s.  
6 118.40 (2r) (cm), 2013 stats., is responsible for the employer functions under this  
7 subchapter.

8 **SECTION 630.** 111.817 of the statutes is created to read:

9 **111.817 Duty of commission; determination of frontline workers.** The  
10 commission shall determine that an employee is a frontline worker if the commission  
11 finds that the employee has regular job duties that include interacting with members  
12 of the public or with large populations of people or that directly involve the  
13 maintenance of public works. The commission may not determine that a public  
14 safety employee is a frontline worker.

15 **SECTION 631.** 111.82 of the statutes is renumbered 111.82 (1) and amended to  
16 read:

17 111.82 (1) Employees have the right of self-organization and the right to form,  
18 join, or assist labor organizations, to bargain collectively through representatives of  
19 their own choosing under this subchapter, and to engage in lawful, concerted  
20 activities for the purpose of collective bargaining or other mutual aid or protection.  
21 Employees also have the right to refrain from any or all of such activities. A general  
22 employee may not be covered by a fair-share agreement unless the general employee  
23 is in a collective bargaining unit containing a frontline worker. Unless the general  
24 employee is covered by a fair-share agreement, a general employee has the right to  
25 refrain from paying dues while remaining a member of a collective bargaining unit.

1           **SECTION 632.** 111.82 (2) of the statutes is created to read:

2           111.82 (2) General employees who are not in a collective bargaining unit  
3 containing a frontline worker have the right to have their employer consult with  
4 them, through a representative of their own choosing, with no intention of reaching  
5 an agreement, with respect to wages, hours, and conditions of employment. The  
6 right may be exercised either when the employer proposes or implements policy  
7 changes affecting wages, hours, or conditions of employment or, if no policy changes  
8 are proposed or implemented, at least quarterly.

9           **SECTION 633.** 111.825 (1) (intro.) of the statutes is amended to read:

10           111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful  
11 collective bargaining, units must be structured in such a way as to avoid excessive  
12 fragmentation whenever possible. In accordance with this policy, collective  
13 bargaining units for employees in the classified service of the state and for employees  
14 of authorities are structured on a statewide basis with one collective bargaining unit  
15 for each of the following occupational groups:

16           **SECTION 634.** 111.825 (3) of the statutes is amended to read:

17           111.825 (3) The commission shall assign employees to the appropriate  
18 collective bargaining units set forth in subs. (1), (1r), (1t), and (2). The commission  
19 may place frontline workers in a collective bargaining unit with employees who are  
20 not frontline workers if the commission determines it is appropriate; if the  
21 commission places in a collective bargaining unit frontline workers and employees  
22 who are not frontline workers, the collective bargaining unit is treated as if all  
23 employees in the collective bargaining unit are frontline workers and may bargain  
24 as provided in s. 111.91 (1w).

25           **SECTION 635.** 111.825 (5) of the statutes is amended to read:

1           111.825 (5) Although supervisors are not considered employees for purposes  
2 of this subchapter, the commission may consider a petition for a statewide collective  
3 bargaining unit of professional supervisors or a statewide unit of nonprofessional  
4 supervisors in the classified service, but the representative of supervisors may not  
5 be affiliated with any labor organization representing employees. For purposes of  
6 this subsection, affiliation does not include membership in a national, state, county  
7 or municipal federation of national or international labor organizations. The  
8 certified representative of supervisors who are not public safety employees or  
9 frontline workers may not bargain collectively with respect to any matter other than  
10 wages as provided in s. 111.91 (3), and the certified representative of supervisors who  
11 are public safety employees may not bargain collectively with respect to any matter  
12 other than wages and fringe benefits as provided in s. 111.91 (1), and the certified  
13 representative of supervisors who are frontline workers may bargain as provided in  
14 s. 111.91 (1w).

15           **SECTION 636.** 111.83 (1) of the statutes is amended to read:

16           111.83 (1) ~~Except as provided in sub. (5), a representative chosen for the~~  
17 ~~purposes of collective bargaining by at least 51 percent of the general employees in~~  
18 ~~a collective bargaining unit shall be the exclusive representative of all of the~~  
19 ~~employees in such unit for the purposes of collective bargaining. A representative~~  
20 chosen for the purposes of collective bargaining by a majority of the public safety  
21 employees voting in a collective bargaining unit shall be the exclusive representative  
22 of all of the employees in such unit for the purposes of collective bargaining. Any  
23 individual employee, or any minority group of employees in any collective bargaining  
24 unit, may present grievances to the employer in person, or through representatives  
25 of their own choosing, and the employer shall confer with the employee or group of



1 employees in relation thereto if the majority representative has been afforded the  
2 opportunity to be present at the conference. Any adjustment resulting from such a  
3 conference may not be inconsistent with the conditions of employment established  
4 by the majority representative and the employer.

5 **SECTION 637.** 111.83 (3) (a) of the statutes is renumbered 111.83 (3).

6 **SECTION 638.** 111.83 (3) (b) of the statutes is repealed.

7 **SECTION 639.** 111.83 (4) of the statutes is amended to read:

8 111.83 (4) Whenever an election has been conducted under sub. (3) ~~(a)~~ in which  
9 the name of more than one proposed representative appears on the ballot and results  
10 in no conclusion, the commission may, if requested by any party to the proceeding  
11 within 30 days from the date of the certification of the results of the election, conduct  
12 a runoff election. In that runoff election, the commission shall drop from the ballot  
13 the name of the representative who received the least number of votes at the original  
14 election. The commission shall drop from the ballot the privilege of voting against  
15 any representative if the least number of votes cast at the first election was against  
16 representation by any named representative.

17 **SECTION 640.** 111.84 (1) (d) of the statutes is amended to read:

18 111.84 (1) (d) To refuse to bargain collectively on matters set forth in s. 111.91  
19 (1), ~~(1w)~~, or (3), whichever is appropriate, with a representative of a majority of its  
20 employees in an appropriate collective bargaining unit. Where the employer has a  
21 good faith doubt as to whether a labor organization claiming the support of a majority  
22 of its employees in appropriate collective bargaining unit does in fact have that  
23 support, it may file with the commission a petition requesting an election as to that  
24 claim. It is not deemed to have refused to bargain until an election has been held and  
25 the results thereof certified to it by the commission. A violation of this paragraph

1 includes, but is not limited to, the refusal to execute a collective bargaining  
2 agreement previously orally agreed upon.

3 **SECTION 641.** 111.84 (1) (f) of the statutes is amended to read:

4 111.84 (1) (f) To deduct labor organization dues from the earnings of a public  
5 safety employee or an employee who is in a collective bargaining unit containing a  
6 frontline worker, unless the employer has been presented with an individual order  
7 therefor, signed by the ~~public safety~~ employee personally, and terminable by at least  
8 the end of any year of its life or earlier by the ~~public safety~~ employee giving at least  
9 30 but not more than 120 days' written notice of such termination to the employer  
10 and to the representative labor organization, except if there is a fair-share or  
11 maintenance of membership agreement in effect. The employer shall give notice to  
12 the labor organization of receipt of such notice of termination.

13 **SECTION 642.** 111.84 (2) (c) of the statutes is amended to read:

14 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91  
15 (1), (1w), or (3), whichever is appropriate, with the duly authorized officer or agent  
16 of the employer which is the recognized or certified exclusive collective bargaining  
17 representative of employees specified in s. 111.81 (7) (a) or (ag) in an appropriate  
18 collective bargaining unit or with the certified exclusive collective bargaining  
19 representative of employees specified in s. 111.81 (7) (ar) to (f) in an appropriate  
20 collective bargaining unit. Such refusal to bargain shall include, but not be limited  
21 to, the refusal to execute a collective bargaining agreement previously orally agreed  
22 upon.

23 **SECTION 643.** 111.85 (1) of the statutes is amended to read:

24 111.85 (1) (a) No fair-share or maintenance of membership agreement  
25 covering ~~public safety employees~~ under this subchapter may become effective unless

1 authorized by a referendum. The commission shall order a referendum whenever it  
2 receives a petition supported by proof that at least 30 percent of the public safety  
3 employees in a collective bargaining unit or at least 30 percent of the employees in  
4 a collective bargaining unit containing a frontline worker desire that a fair-share or  
5 maintenance of membership agreement be entered into between the employer and  
6 a labor organization. A petition may specify that a referendum is requested on a  
7 maintenance of membership agreement only, in which case the ballot shall be limited  
8 to that question.

9 (b) For a fair-share agreement to be authorized, at least two-thirds of the  
10 eligible public safety employees voting in a referendum shall vote in favor of the  
11 agreement or at least two-thirds of the employees in a collective bargaining unit  
12 containing a frontline worker shall vote in favor of the agreement. For a  
13 maintenance of membership agreement to be authorized, at least a majority of the  
14 eligible public safety employees voting in a referendum shall vote in favor of the  
15 agreement or at least a majority of the employees in a collective bargaining unit  
16 containing a frontline worker shall vote in favor of the agreement. In a referendum  
17 on a fair-share agreement, if less than two-thirds but more than one-half of the  
18 eligible ~~public safety~~ employees vote in favor of the agreement, a maintenance of  
19 membership agreement is authorized.

20 (c) If a fair-share or maintenance of membership agreement is authorized in  
21 a referendum ordered under par. (a), the employer shall enter into such an  
22 agreement with the labor organization named on the ballot in the referendum. Each  
23 fair-share or maintenance of membership agreement shall contain a provision  
24 requiring the employer to deduct the amount of dues as certified by the labor  
25 organization from the earnings of the ~~public safety~~ employees affected by the

1 agreement and to pay the amount so deducted to the labor organization. Unless the  
2 parties agree to an earlier date, the agreement shall take effect 60 days after  
3 certification by the commission that the referendum vote authorized the agreement.  
4 The employer shall be held harmless against any claims, demands, suits and other  
5 forms of liability made by ~~public safety~~ the employees affected by the agreement or  
6 by local labor organizations which may arise for actions taken by the employer in  
7 compliance with this section. All such lawful claims, demands, suits, and other forms  
8 of liability are the responsibility of the labor organization entering into the  
9 agreement.

10 (d) Under each fair-share or maintenance of membership agreement, ~~a public~~  
11 ~~safety~~ an employee affected by the agreement who has religious convictions against  
12 dues payments to a labor organization based on teachings or tenets of a church or  
13 religious body of which he or she is a member shall, on request to the labor  
14 organization, have his or her dues paid to a charity mutually agreed upon by the  
15 ~~public safety~~ employee and the labor organization. Any dispute concerning this  
16 paragraph may be submitted to the commission for adjudication.

17 **SECTION 644.** 111.85 (2) of the statutes is amended to read:

18 111.85 (2) (a) Once authorized under sub. (1), a fair-share or maintenance of  
19 membership agreement ~~covering public safety employees~~ shall continue in effect,  
20 subject to the right of the employer or labor organization concerned to petition the  
21 commission to conduct a new referendum. Such petition must be supported by proof  
22 that at least 30 percent of the public safety employees in the collective bargaining  
23 unit or at least 30 percent of the employees in a collective bargaining unit containing  
24 a frontline worker desire that the fair-share or maintenance of membership  
25 agreement be discontinued. Upon so finding, the commission shall conduct a new

1 referendum. If the continuance of the fair-share or maintenance of membership  
2 agreement is approved in the referendum by at least the percentage of eligible voting  
3 ~~public safety~~ employees required for its initial authorization, it shall be continued  
4 in effect, subject to the right of the employer or labor organization to later initiate a  
5 further vote following the procedure prescribed in this subsection. If the  
6 continuation of the agreement is not supported in any referendum, it is ~~deemed~~  
7 ~~terminated~~ terminates at the termination of the collective bargaining agreement, or  
8 one year from the date of the certification of the result of the referendum, whichever  
9 is earlier.

10 (b) The commission shall declare any fair-share or maintenance of  
11 membership agreement suspended upon such conditions and for such time as the  
12 commission decides whenever it finds that the labor organization involved has  
13 refused on the basis of race, color, sexual orientation or creed to receive as a member  
14 any ~~public safety~~ employee in the collective bargaining unit involved, and the  
15 agreement shall be made subject to the findings and orders of the commission. Any  
16 of the parties to the agreement, or any ~~public safety~~ employee covered thereby, may  
17 come before the commission, as provided in s. 111.07, and petition the commission  
18 to make such a finding.

19 **SECTION 645.** 111.85 (4) of the statutes is amended to read:

20 111.85 (4) The commission may, under rules adopted for that purpose, appoint  
21 as its agent an official of a state agency or authority whose ~~public safety~~ employees  
22 are entitled to vote in a referendum to conduct a referendum ~~provided for herein~~  
23 under this section.

24 **SECTION 646.** 111.86 (2) of the statutes is amended to read:

1           111.86 (2) The division shall charge a state department ~~or~~, agency, or authority  
2 the employer's share of the cost related to grievance arbitration under sub. (1) for any  
3 arbitration that involves one or more employees of the state department ~~or~~, agency,  
4 or authority. Each state department ~~or~~, agency, or authority so charged shall pay the  
5 amount that the division charges from the appropriation account or accounts used  
6 to pay the salary of the grievant. Funds received under this subsection shall be  
7 credited to the appropriation account under s. 20.505 (1) (ks).

8           **SECTION 647.** 111.88 (1) of the statutes is amended to read:

9           111.88 (1) If a dispute has not been settled after a reasonable period of  
10 negotiation and after the settlement procedures, if any, established by the parties  
11 have been exhausted, the representative which has been certified by the commission  
12 after an election, or, in the case of a representative of employees specified in s. 111.81  
13 (7) (a) or (ag), has been duly recognized by the employer, as the exclusive  
14 representative of employees in an appropriate collective bargaining unit, and the  
15 employer, its officers and agents, after a reasonable period of negotiation, are  
16 deadlocked with respect to any dispute between them arising in the collective  
17 bargaining process, the parties jointly, may petition the commission, in writing, to  
18 initiate fact-finding under this section, and to make recommendations to resolve the  
19 deadlock.

20           **SECTION 648.** 111.90 (1) of the statutes is amended to read:

21           111.90 (1) Carry out the statutory mandate and goals assigned to a state agency  
22 or authority by the most appropriate and efficient methods and means and utilize  
23 personnel in the most appropriate and efficient manner possible.

24           **SECTION 649.** 111.90 (2) of the statutes is amended to read:

1           111.90 (2) Manage the employees of a state agency or authority; hire, promote,  
2 transfer, assign or retain employees in positions within the agency or authority; and  
3 in that regard establish reasonable work rules.

4           **SECTION 650.** 111.91 (1w) of the statutes is created to read:

5           111.91 (1w) (a) Except as provided in pars. (b) and (c), with regard to a collective  
6 bargaining unit that contains at least one frontline worker, matters subject to  
7 collective bargaining to the point of impasse are wage rates, consistent with sub. (2),  
8 the assignment and reassignment of classifications to pay ranges, determination of  
9 an incumbent's pay status resulting from position reallocation or reclassification,  
10 and pay adjustments upon temporary assignment of classified employees to duties  
11 of a higher classification or downward reallocations of a classified employee's  
12 position; fringe benefits consistent with sub. (2); hours and conditions of  
13 employment.

14           (b) With regard to a collective bargaining unit that contains at least one  
15 frontline worker, the employer is not required to bargain on management rights  
16 under s. 111.90, except that procedures for the adjustment or settlement of  
17 grievances or disputes arising out of any type of disciplinary action referred to in s.  
18 111.90 (3) shall be a subject of bargaining.

19           (c) The employer is prohibited from bargaining on matters contained in sub. (2)  
20 with a collective bargaining unit that contains at least one frontline worker.

21           **SECTION 651.** 111.91 (2) (intro.) of the statutes is amended to read:

22           111.91 (2) (intro.) The employer is prohibited from bargaining with a collective  
23 bargaining unit under s. 111.825 (1) (g) or with a collective bargaining unit that  
24 contains a frontline worker with respect to all of the following:

25           **SECTION 652.** 111.91 (3) (intro.) of the statutes is amended to read:

1           111.91 (3) (intro.) The employer is prohibited from bargaining with a collective  
2 bargaining unit containing ~~a~~ only general employee employees with respect to any  
3 of the following:

4           **SECTION 653.** 111.91 (3q) of the statutes is amended to read:

5           111.91 (3q) For purposes of determining compliance with sub. (3), the  
6 commission shall provide, upon request, to the employer or to any representative of  
7 a collective bargaining unit containing ~~a~~ only general employee employees, the  
8 consumer price index change during any 12-month period. The commission may get  
9 the information from the department of revenue.

10          **SECTION 654.** 111.91 (4) of the statutes is amended to read:

11          111.91 (4) The administrator of the division, in connection with the  
12 development of tentative collective bargaining agreements to be submitted under s.  
13 111.92 (1) (a) 1., shall endeavor to obtain tentative agreements with each recognized  
14 or certified labor organization representing employees or supervisors of employees  
15 specified in s. 111.81 (7) (a) or (ag) and with each certified labor organization  
16 representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any  
17 provision for the payment to any employee of a cumulative or noncumulative amount  
18 of compensation in recognition of or based on the period of time an employee has been  
19 employed by the state.

20          **SECTION 655.** 111.92 (3) (a) of the statutes is amended to read:

21          111.92 (3) (a) Agreements covering a collective bargaining unit specified under  
22 s. 111.825 (1) (g) or a collective bargaining unit containing a frontline worker shall  
23 coincide with the fiscal year or biennium.

24          **SECTION 656.** 111.92 (3) (b) of the statutes is amended to read:



1           111.92 (3) (b) No agreements covering a collective bargaining unit containing  
2 -a- only general employee employees may be for a period that exceeds one year, and  
3 each agreement must coincide with the fiscal year. Agreements covering a collective  
4 bargaining unit containing a- only general employee employees may not be extended.

5           **SECTION 657.** 111.93 (3) (a) of the statutes is amended to read:

6           111.93 (3) (a) If a collective bargaining agreement exists between the employer  
7 and a labor organization representing employees in a collective bargaining unit  
8 under s. 111.825 (1) (g) or in a collective bargaining unit containing a frontline  
9 worker, the provisions of that agreement shall supersede the provisions of civil  
10 service and other applicable statutes, as well as rules and policies of the University  
11 of Wisconsin-Madison and the board of regents of the University of Wisconsin  
12 System, and policies or determinations of an authority, that are related to wages,  
13 fringe benefits, hours, and conditions of employment, whether or not the matters  
14 contained in those statutes, rules, and policies, and determinations are set forth in  
15 the collective bargaining agreement.

16           **SECTION 658.** 111.93 (3) (b) of the statutes is amended to read:

17           111.93 (3) (b) If a collective bargaining agreement exists between the employer  
18 and a labor organization representing only general employees in a collective  
19 bargaining unit, the provisions of that agreement shall supersede the provisions of  
20 civil service and other applicable statutes, as well as rules and policies of the board  
21 of regents of the University of Wisconsin System, related to wages, whether or not  
22 the matters contained in those statutes, rules, and policies are set forth in the  
23 collective bargaining agreement.

24           **SECTION 659.** 118.22 (4) of the statutes is created to read:

1           118.22 (4) A collective bargaining agreement under subch. IV of ch. 111 may  
2 modify, waive, or replace any of the provisions of this section as they apply to teachers  
3 in the collective bargaining unit, but neither the employer nor the bargaining agent  
4 for the employees is required to bargain such modification, waiver, or replacement.

5           **SECTION 660.** 118.245 (1) of the statutes is amended to read:

6           118.245 (1) If a school board wishes to increase the total base wages of its  
7 general municipal employees, as defined in s. 111.70 (1) (fm), in an amount that  
8 exceeds the limit under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution  
9 to that effect. The resolution shall specify the amount by which the proposed total  
10 base wages increase will exceed the limit under s. 111.70 (4) (mb) 2. The resolution  
11 may not take effect unless it is approved in a referendum called for that purpose. The  
12 referendum shall occur in April for collective bargaining agreements that begin in  
13 July of that year. The results of a referendum apply to the total base wages only in  
14 the next collective bargaining agreement.

15           **SECTION 661.** 118.42 (3) (a) 4. of the statutes is amended to read:

16           118.42 (3) (a) 4. Implement changes in administrative and personnel  
17 structures that are consistent with applicable collective bargaining agreements  
18 under subch. IV of ch. 111.

19           **SECTION 662.** 118.42 (5) of the statutes is amended to read:

20           118.42 (5) Nothing in this section alters or otherwise affects the rights or  
21 remedies afforded school districts and school district employees under federal or  
22 state law or under the terms of any applicable collective bargaining agreement under  
23 subch. IV of ch. 111.

24           **SECTION 663.** 120.12 (15) of the statutes is amended to read:

1           120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal  
2 school day. The school board may differentiate between the various elementary and  
3 high school grades in scheduling the school day. This subsection does not eliminate  
4 a school district's duty under subch. IV of ch. 111 to bargain with its employees'  
5 collective bargaining representative over any calendaring proposal which is  
6 primarily related to wages, hours, or conditions of employment.

7           **SECTION 664.** 120.18 (1) (gm) of the statutes is amended to read:

8           120.18 (1) (gm) Payroll and related benefit costs for all school district  
9 employees in the previous school year. ~~Payroll costs~~ Costs for represented employees  
10 shall be based upon the costs of wages of any collective bargaining agreements  
11 covering such employees for the previous school year. If, as of the time specified by  
12 the department for filing the report, the school district has not entered into a  
13 collective bargaining agreement for any portion of the previous school year with the  
14 recognized or certified representative of any of its employees, increased costs of  
15 wages reflected in the report shall be equal to the maximum wage expenditure that  
16 is ~~subject to collective bargaining under s. 111.70 (4) (mb) 2. for the employees~~ limited  
17 to the lower of the school district's offer or the representative's offer. The school  
18 district shall amend the annual report to reflect any change in such costs as a result  
19 of any collective bargaining agreement entered into between the date of filing the  
20 report and October 1. Any such amendment shall be concurred in by the certified  
21 public accountant licensed or certified under ch. 442 certifying the school district  
22 audit.

23           **SECTION 665.** 230.10 (2) of the statutes is amended to read:

24           230.10 (2) The compensation plan in effect at the time that a representative  
25 is recognized or certified to represent employees in a collective bargaining unit and

1 the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time  
2 that a representative is certified to represent employees in a collective bargaining  
3 unit under subch. V of ch. 111 constitute the compensation plan or employee salary  
4 and benefit provisions for employees in the collective bargaining unit until a  
5 collective bargaining agreement becomes effective for that unit. If a collective  
6 bargaining agreement under subch. V of ch. 111 expires prior to the effective date of  
7 a subsequent agreement, and a representative continues to be recognized or certified  
8 to represent employees specified in s. 111.81 (7) (a) or (ag) or certified to represent  
9 employees specified in s. 111.81 (7) (ar) to (f) in that collective bargaining unit, the  
10 wage rates of the employees in such a unit shall be frozen until a subsequent  
11 agreement becomes effective, and the compensation plan under s. 230.12 and salary  
12 and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the  
13 unit.

14 **SECTION 9214. Fiscal changes; Employment Relations Commission.**

15 (1) COLLECTIVE BARGAINING MODIFICATIONS. In the schedule under s. 20.005 (3)  
16 for the appropriation to the employment relations commission under s. 20.425 (1) (a),  
17 the dollar amount for fiscal year 2023-24 is increased by \$214,700 to increase the  
18 authorized FTE positions by 2.0 GPR to implement expanded collective bargaining  
19 rights for state and local government employees. In the schedule under s. 20.005 (3)  
20 for the appropriation to the employment relations commission under s. 20.425 (1) (a),  
21 the dollar amount for fiscal year 2024-25 is increased by \$283,000 to increase the  
22 authorized FTE positions by 2.0 GPR to implement expanded collective bargaining  
23 rights for state and local government employees.

24 **SECTION 9351. Initial applicability; Other.**

1 (1) COLLECTIVE BARGAINING; EMPLOYEE RIGHTS. The treatment of ss. 20.425 (1)  
2 (i), 20.505 (1) (ks), 20.921 (1) (a) 2., 40.51 (7) (a), 46.2895 (8) (a) 1., 109.03 (1) (b),  
3 111.70 (1) (a), (f), (fd), (fm), (n), and (p), (3) (a) 3., 5., 6., and 9., (3g), (4) (bm) (title),  
4 (cg) (title), 1., 2., 3., 4., 5., 6. a., 7r. d., e., f., and h., and 8m., (d) 1., 2. a., and 3. a., b.,  
5 and c., (mb) (intro.), (mbb), and (p), and (7m) (c) 1. a., 111.81 (1), (1d), (7) (ag), (8), (9),  
6 (9b), (9g), (12) (intro.), (12m), and (16), 111.815 (1), 111.817, 111.825 (1) (intro.), (3),  
7 and (5), 111.83 (1), (3) (a) and (b), and (4), 111.84 (1) (d) and (f) and (2) (c), 111.85 (1),  
8 (2), and (4), 111.86 (2), 111.88 (1), 111.90 (1) and (2), 111.91 (1w), (2) (intro.), (3)  
9 (intro.), (3q), and (4), 111.92 (3) (a) and (b), 111.93 (3) (a) and (b), 118.22 (4), 118.245  
10 (1), 118.42 (3) (a) 4. and (5), 120.12 (15), 120.18 (1) (gm), and 230.10 (2), the  
11 renumbering of s. 111.70 (4) (bm), the renumbering and amendment of ss. 111.70 (2)  
12 and 111.82, and the creation of ss. 111.70 (2) (b) and (4) (bm) 2. and 111.82 (2) first  
13 apply to employees who are covered by a collective bargaining agreement under ch.  
14 111 that contains provisions inconsistent with those sections on the day on which the  
15 agreement expires or is terminated, extended, modified, or renewed, whichever  
16 occurs first.”.

17 **165.** Page 374, line 11: after that line insert:

18 “SECTION 666. 66.0509 (1m) (c) 1. of the statutes is amended to read:

19 66.0509 (1m) (c) 1. A grievance procedure that addresses employee  
20 terminations, employee discipline, and workplace safety.

21 SECTION 667. 66.0509 (1m) (c) 2. of the statutes is repealed and recreated to  
22 read:

23 66.0509 (1m) (c) 2. A just cause standard of review for employee terminations,  
24 including a refusal to renew a teaching contract under s. 118.22.

1           **SECTION 668.** 66.0509 (1m) (c) 3. of the statutes is repealed.

2           **SECTION 669.** 66.0509 (1m) (d) 2. of the statutes is amended to read:

3           66.0509 **(1m)** (d) 2. A hearing before an impartial hearing officer from the  
4 employment relations commission.

5           **SECTION 670.** 66.0509 (1m) (d) 4. and 5. of the statutes are created to read:

6           66.0509 **(1m)** (d) 4. A provision indicating that the grievant shall be entitled  
7 to representation throughout the grievance process.

8           5. A provision indicating that the employer shall bear all fees and costs  
9 associated with the grievance process, except for the grievant's representational fees  
10 and costs.

11           **SECTION 9214. Fiscal changes; Employment Relations Commission.**

12           (1u) LOCAL GOVERNMENT EMPLOYEE GRIEVANCE. In the schedule under s. 20.005  
13 (3) for the appropriation to the employment relations commission under s. 20.425 (1)  
14 (a), the dollar amount for fiscal year 2023-24 is increased by \$112,400 to increase the  
15 authorized FTE positions by 1.0 GPR hearing officer for local government employee  
16 grievances. In the schedule under s. 20.005 (3) for the appropriation to the  
17 employment relations commission under s. 20.425 (1) (a), the dollar amount for fiscal  
18 year 2024-25 is increased by \$146,500 to increase the authorized FTE positions by  
19 1.0 GPR hearing officer for local government employee grievances.”.

20           **166.** Page 374, line 11: after that line insert:

21           “**SECTION 671.** 15.405 (6) (b) of the statutes is amended to read:

22           15.405 **(6)** (b) Three dental hygienists who are licensed under ch. 447. The  
23 governor shall, to the extent possible, appoint members under this paragraph so that  
24 at least one of the members under this paragraph is an individual who is also a dental

1 therapist licensed under ch. 447. Notwithstanding s. 15.08 (1m) (a), the dental  
2 hygienist members under this paragraph may participate in the preparation and  
3 grading of licensing examinations for dental hygienists.

4 **SECTION 672.** 20.165 (1) (g) of the statutes is amended to read:

5 20.165 (1) (g) *General program operations.* The amounts in the schedule for  
6 the licensing, ~~rule-making~~ rule-making, and regulatory functions of the department,  
7 other than the licensing, rule-making, and credentialing functions of the medical  
8 examining board and the affiliated credentialing boards attached to the medical  
9 examining board and except for preparing, administering, and grading  
10 examinations. ~~Ninety percent of all~~ All moneys received under chs. 440 to 480, except  
11 subchs. II and IV to IX of ch. 448, ch. 460 and ss. 440.03 (13), 440.05 (1) (b), 458.21,  
12 and 458.365, less \$10 of each renewal fee received under s. 452.12 (5); and all moneys  
13 transferred from the appropriation under par. (i); ~~and all moneys received under s.~~  
14 ~~440.055 (2)~~, shall be credited to this appropriation.

15 **SECTION 673.** 20.165 (1) (gm) of the statutes is amended to read:

16 20.165 (1) (gm) *Applicant investigation reimbursement.* ~~Ninety percent of all~~  
17 All moneys received from applicants for credentials under s. 440.03 (13); for the  
18 purpose of conducting investigations under s. 440.03 (13).

19 **SECTION 674.** 20.165 (1) (hg) of the statutes is amended to read:

20 20.165 (1) (hg) *General program operations; medical examining board;*  
21 *interstate medical licensure compact; prescription drug monitoring program.*  
22 Biennially, the amounts in the schedule for the licensing, rule-making, and  
23 regulatory functions of the medical examining board and the affiliated credentialing  
24 boards attached to the medical examining board, except for preparing,  
25 administering, and grading examinations; for any costs associated with the

1 interstate medical licensure compact under s. 448.980, including payment of  
2 assessments under s. 448.980 (13) (a); and for the controlled substances board's  
3 operation of the prescription drug monitoring program under s. 961.385. ~~Ninety~~  
4 ~~percent of all~~ All moneys received for issuing and renewing credentials under subchs.  
5 II and IV to IX of ch. 448 shall be credited to this appropriation. ~~All and ch. 460 and~~  
6 ~~all~~ moneys received from the interstate medical licensure compact commission under  
7 s. 448.980 shall be credited to this appropriation.

8 **SECTION 675.** 20.165 (1) (i) of the statutes is amended to read:

9 20.165 (1) (i) *Examinations; general program operations.* ~~Ninety percent of all~~  
10 All moneys received under s. 440.05 (1) (b) for the purposes of preparing,  
11 administering, and grading examinations. Notwithstanding s. 20.001 (3) (c), any  
12 unencumbered balance in this appropriation account, excluding any amount  
13 specified by the secretary of administration that is reserved for the payment of future  
14 employee compensation or fringe benefit costs, at the end of each fiscal year which  
15 exceeds 30 percent of the estimated amount shown in the schedule under s. 20.005  
16 for that fiscal year shall be transferred to the appropriation account under par. (g).

17 **SECTION 676.** 20.165 (1) (jm) of the statutes is amended to read:

18 20.165 (1) (jm) *Nursing workforce survey administration.* Biennially, the  
19 amounts in the schedule for administrative expenses related to distributing a  
20 nursing workforce survey to ~~applicants for renewal of credentials~~ nurse licensees  
21 under s. 441.01 (7). All moneys received from the fee under s. 441.01 (7) (a) 2. shall  
22 be credited to this appropriation account. Annually, there is transferred from this  
23 appropriation account to the appropriation account under s. 20.445 (1) (km) all  
24 moneys received from the fee under s. 441.01 (7) (a) 2. that are not appropriated to  
25 this appropriation account.



1           **SECTION 677.** 20.165 (1) (jr) of the statutes is amended to read:

2           20.165 (1) (jr) *Proprietary school programs.* The amounts in the schedule for  
3 the examination and approval of proprietary school programs under s. 440.52.  
4 ~~Ninety percent of all~~ All moneys received from the issuance of solicitor's permits  
5 under s. 440.52 (8) and from the fees under s. 440.52 (10) and all moneys received  
6 from the fees under s. 440.52 (13) (d) shall be credited to this appropriation account.

7           **SECTION 678.** 29.193 (1m) (a) 2. (intro.) of the statutes is amended to read:

8           29.193 (1m) (a) 2. (intro.) Has a permanent substantial loss of function in one  
9 or both arms or one or both hands and fails to meet the minimum standards of any  
10 one of the following standard tests, administered under the direction of a licensed  
11 physician, a licensed physician assistant, a licensed chiropractor, or a ~~certified~~  
12 licensed advanced practice registered nurse prescriber:

13           **SECTION 679.** 29.193 (2) (b) 2. of the statutes is amended to read:

14           29.193 (2) (b) 2. An applicant shall submit an application on a form prepared  
15 and furnished by the department, which shall include a written statement or report  
16 prepared and signed by a licensed physician, a licensed physician assistant, a  
17 licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed advanced practice  
18 registered nurse prescriber prepared no more than 6 months preceding the  
19 application and verifying that the applicant is physically disabled.

20           **SECTION 680.** 29.193 (2) (c) 3. of the statutes is amended to read:

21           29.193 (2) (c) 3. The department may issue a Class B permit to an applicant  
22 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under  
23 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the  
24 applicant and the recommendation of a licensed physician, a licensed physician  
25 assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed

1 advanced practice registered nurse ~~prescriber~~ selected by the applicant from a list  
2 of licensed physicians, licensed physician assistants, licensed chiropractors, licensed  
3 podiatrists, and ~~certified~~ licensed advanced practice nurse ~~prescribers~~ registered  
4 nurses compiled by the department, the department finds that issuance of a permit  
5 complies with the intent of this subsection. The use of this review procedure is  
6 discretionary with the department and all costs of the review procedure shall be paid  
7 by the applicant.

8 **SECTION 681.** 29.193 (2) (cd) 2. b. of the statutes is amended to read:

9 29.193 (2) (cd) 2. b. The person has a permanent substantial loss of function  
10 in one or both arms and fails to meet the minimum standards of the standard upper  
11 extremity pinch test, the standard grip test, or the standard nine-hole peg test,  
12 administered under the direction of a licensed physician, a licensed physician  
13 assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced practice registered  
14 nurse ~~prescriber~~.

15 **SECTION 682.** 29.193 (2) (cd) 2. c. of the statutes is amended to read:

16 29.193 (2) (cd) 2. c. The person has a permanent substantial loss of function in  
17 one or both shoulders and fails to meet the minimum standards of the standard  
18 shoulder strength test, administered under the direction of a licensed physician, a  
19 licensed physician assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced  
20 practice registered nurse ~~prescriber~~.

21 **SECTION 683.** 29.193 (2) (e) of the statutes is amended to read:

22 29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this  
23 subsection, except a permit under par. (c) 3., may obtain a review of that decision by  
24 a licensed physician, a licensed physician assistant, a licensed chiropractor, a  
25 licensed podiatrist, or a ~~certified~~ licensed advanced practice registered nurse

1     ~~prescriber~~ designated by the department and with an office located in the  
2     department district in which the applicant resides. The department shall pay for the  
3     cost of a review under this paragraph unless the denied application on its face fails  
4     to meet the standards set forth in par. (c) 1. or 2. A review under this paragraph is  
5     the only method of review of a decision to deny a permit under this subsection and  
6     is not subject to further review under ch. 227.

7             **SECTION 684.** 29.193 (3) (a) of the statutes is amended to read:

8             29.193 (3) (a) Produces a certificate from a licensed physician, a licensed  
9     physician assistant, a licensed optometrist, or a ~~eertified~~ licensed advanced practice  
10    registered nurse ~~prescriber~~ stating that his or her sight is impaired to the degree that  
11    he or she cannot read ordinary newspaper print with or without corrective glasses.

12            **SECTION 685.** 46.03 (44) of the statutes is amended to read:

13            46.03 (44) SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION. Prepare and  
14    keep current an information sheet to be distributed to a patient by a physician, a  
15    physician assistant, or ~~eertified~~ an advanced practice registered nurse ~~prescriber~~  
16    who may issue prescription orders under s. 441.09 (2) providing expedited partner  
17    therapy to that patient under s. 441.092, 448.035, or 448.9725. The information  
18    sheet shall include information about sexually transmitted diseases and their  
19    treatment and about the risk of drug allergies. The information sheet shall also  
20    include a statement advising a person with questions about the information to  
21    contact his or her physician, advanced practice registered nurse, pharmacist, or local  
22    health department, as defined in s. 250.01 (4).

23            **SECTION 686.** 50.01 (1b) of the statutes is repealed.

24            **SECTION 687.** 50.08 (2) of the statutes is amended to read:

1           50.08 (2) A physician, an advanced practice registered nurse ~~prescriber~~  
2 ~~certified who may issue prescription orders~~ under s. 441.16 441.09 (2), or a physician  
3 assistant who prescribes a psychotropic medication to a nursing home resident who  
4 has degenerative brain disorder shall notify the nursing home if the prescribed  
5 medication has a boxed warning under 21 CFR 201.57.

6           **SECTION 688.** 50.09 (1) (a) (intro.) of the statutes is amended to read:

7           50.09 (1) (a) (intro.) Private and unrestricted communications with the  
8 resident's family, physician, physician assistant, advanced practice registered nurse  
9 ~~prescriber~~, attorney, and any other person, unless medically contraindicated as  
10 documented by the resident's physician, physician assistant, or advanced practice  
11 registered nurse ~~prescriber~~ in the resident's medical record, except that  
12 communications with public officials or with the resident's attorney shall not be  
13 restricted in any event. The right to private and unrestricted communications shall  
14 include, but is not limited to, the right to:

15           **SECTION 689.** 50.09 (1) (f) 1. of the statutes is amended to read:

16           50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both spouses  
17 or both domestic partners under ch. 770 are residents of the same facility, the spouses  
18 or domestic partners shall be permitted to share a room unless medically  
19 contraindicated as documented by the resident's physician, physician assistant, or  
20 advanced practice registered nurse ~~prescriber~~ in the resident's medical record.

21           **SECTION 690.** 50.09 (1) (h) of the statutes is amended to read:

22           50.09 (1) (h) Meet with, and participate in activities of social, religious, and  
23 community groups at the resident's discretion, unless medically contraindicated as  
24 documented by the resident's physician, physician assistant, or advanced practice  
25 registered nurse ~~prescriber~~ in the resident's medical record.

1           **SECTION 691.** 50.09 (1) (k) of the statutes is amended to read:

2           50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical  
3           and physical restraints except as authorized in writing by a physician, physician  
4           assistant, or advanced practice registered nurse ~~prescriber~~ for a specified and  
5           limited period of time and documented in the resident's medical record. Physical  
6           restraints may be used in an emergency when necessary to protect the resident from  
7           injury to himself or herself or others or to property. However, authorization for  
8           continuing use of the physical restraints shall be secured from a physician, physician  
9           assistant, or advanced practice registered nurse ~~prescriber~~ within 12 hours. Any use  
10          of physical restraints shall be noted in the resident's medical records. "Physical  
11          restraints" includes, but is not limited to, any article, device, or garment that  
12          interferes with the free movement of the resident and that the resident is unable to  
13          remove easily, and confinement in a locked room.

14          **SECTION 692.** 50.36 (3s) of the statutes is created to read:

15          50.36 (3s) The department shall require a hospital that provides emergency  
16          services to have sufficient qualified personnel at all times to manage the number and  
17          severity of emergency department cases anticipated by the location. At all times, a  
18          hospital that provides emergency services shall have on-site at least one physician  
19          who, through education, training, and experience, specializes in emergency  
20          medicine.

21          **SECTION 693.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

22          50.49 (1) (b) (intro.) "Home health services" means the following items and  
23          services that are furnished to an individual, who is under the care of a physician,  
24          physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home  
25          health agency, or by others under arrangements made by the home health agency,

1 that are under a plan for furnishing those items and services to the individual that  
2 is established and periodically reviewed by a physician, physician assistant, or  
3 advanced practice registered nurse ~~prescriber~~ and that are, except as provided in  
4 subd. 6., provided on a visiting basis in a place of residence used as the individual's  
5 home:

6 **SECTION 694.** 51.41 (1d) (b) 4. of the statutes is amended to read:

7 51.41 **(1d)** (b) 4. A psychiatric mental health advanced practice registered  
8 nurse who is suggested by the Milwaukee County board of supervisors. The  
9 Milwaukee County board of supervisors shall solicit suggestions from organizations  
10 including the Wisconsin Nurses Association for individuals who specialize in a full  
11 continuum of behavioral health and medical services including emergency  
12 detention, inpatient, residential, transitional, partial hospitalization, intensive  
13 outpatient, and wraparound community-based services. The Milwaukee County  
14 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric  
15 mental health advanced practice registered nurses for this board membership  
16 position.

17 **SECTION 695.** 70.47 (8) (intro.) of the statutes is amended to read:

18 70.47 **(8)** HEARING. (intro.) The board shall hear upon oath all persons who  
19 appear before it in relation to the assessment. Instead of appearing in person at the  
20 hearing, the board may allow the property owner, or the property owner's  
21 representative, at the request of either person, to appear before the board, under  
22 oath, by telephone or to submit written statements, under oath, to the board. The  
23 board shall hear upon oath, by telephone, all ill or disabled persons who present to  
24 the board a letter from a physician, physician assistant, or advanced practice  
25 registered nurse ~~prescriber certified under s. 441.16 (2)~~ licensed under ch. 441 that

1 confirms their illness or disability. At the request of the property owner or the  
2 property owner's representative, the board may postpone and reschedule a hearing  
3 under this subsection, but may not postpone and reschedule a hearing more than  
4 once during the same session for the same property. The board at such hearing shall  
5 proceed as follows:

6 **SECTION 696.** 77.54 (14) (f) 3. of the statutes is repealed.

7 **SECTION 697.** 77.54 (14) (f) 4. of the statutes is amended to read:

8 77.54 (14) (f) 4. An advanced practice registered nurse who may issue  
9 prescription orders under s. 441.09 (2).

10 **SECTION 698.** 97.59 of the statutes is amended to read:

11 **97.59 Handling foods.** No person in charge of any public eating place or other  
12 establishment where food products to be consumed by others are handled may  
13 knowingly employ any person handling food products who has a disease in a form  
14 that is communicable by food handling. If required by the local health officer or any  
15 officer of the department for the purposes of an investigation, any person who is  
16 employed in the handling of foods or is suspected of having a disease in a form that  
17 is communicable by food handling shall submit to an examination by the officer or  
18 by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~  
19 designated by the officer. The expense of the examination, if any, shall be paid by the  
20 person examined. Any person knowingly infected with a disease in a form that is  
21 communicable by food handling who handles food products to be consumed by others  
22 and any persons knowingly employing or permitting such a person to handle food  
23 products to be consumed by others shall be punished as provided by s. 97.72.

24 **SECTION 699.** 102.13 (1) (a) of the statutes is amended to read:

1           102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed  
2 by an employee, the employee shall, upon the written request of the employee's  
3 employer or worker's compensation insurer, submit to reasonable examinations by  
4 physicians, chiropractors, psychologists, dentists, physician assistants, advanced  
5 practice nurse prescribers registered nurses, or podiatrists provided and paid for by  
6 the employer or insurer. No employee who submits to an examination under this  
7 paragraph is a patient of the examining physician, chiropractor, psychologist,  
8 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
9 podiatrist for any purpose other than for the purpose of bringing an action under ch.  
10 655, unless the employee specifically requests treatment from that physician,  
11 chiropractor, psychologist, dentist, physician assistant, advanced practice registered  
12 nurse ~~prescriber~~, or podiatrist.

13           **SECTION 700.** 102.13 (1) (b) (intro.), 1., 3. and 4. of the statutes are amended  
14 to read:

15           102.13 (1) (b) (intro.) An employer or insurer who requests that an employee  
16 submit to reasonable examination under par. (a) or (am) shall tender to the employee,  
17 before the examination, all necessary expenses including transportation expenses.  
18 The employee is entitled to have a physician, chiropractor, psychologist, dentist,  
19 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist  
20 provided by himself or herself present at the examination and to receive a copy of all  
21 reports of the examination that are prepared by the examining physician,  
22 chiropractor, psychologist, podiatrist, dentist, physician assistant, advanced  
23 practice registered nurse ~~prescriber~~, or vocational expert immediately upon receipt  
24 of those reports by the employer or worker's compensation insurer. The employee is  
25 entitled to have one observer provided by himself or herself present at the



1 examination. The employee is also entitled to have a translator provided by himself  
2 or herself present at the examination if the employee has difficulty speaking or  
3 understanding the English language. The employer's or insurer's written request  
4 for examination shall notify the employee of all of the following:

5 1. The proposed date, time, and place of the examination and the identity and  
6 area of specialization of the examining physician, chiropractor, psychologist, dentist,  
7 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
8 vocational expert.

9 3. The employee's right to have his or her physician, chiropractor, psychologist,  
10 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
11 podiatrist present at the examination.

12 4. The employee's right to receive a copy of all reports of the examination that  
13 are prepared by the examining physician, chiropractor, psychologist, dentist,  
14 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
15 vocational expert immediately upon receipt of these reports by the employer or  
16 worker's compensation insurer.

17 **SECTION 701.** 102.13 (1) (d) 1., 2., 3. and 4. of the statutes are amended to read:

18 102.13 (1) (d) 1. Any physician, chiropractor, psychologist, dentist, podiatrist,  
19 physician assistant, advanced practice registered nurse ~~prescriber~~, or vocational  
20 expert who is present at any examination under par. (a) or (am) may be required to  
21 testify as to the results of the examination.

22 2. Any physician, chiropractor, psychologist, dentist, physician assistant,  
23 advanced practice registered nurse ~~prescriber~~, or podiatrist who attended a worker's  
24 compensation claimant for any condition or complaint reasonably related to the

1 condition for which the claimant claims compensation may be required to testify  
2 before the division when the division so directs.

3 3. Notwithstanding any statutory provisions except par. (e), any physician,  
4 chiropractor, psychologist, dentist, physician assistant, advanced practice registered  
5 nurse ~~prescriber~~, or podiatrist attending a worker's compensation claimant for any  
6 condition or complaint reasonably related to the condition for which the claimant  
7 claims compensation may furnish to the employee, employer, worker's compensation  
8 insurer, department, or division information and reports relative to a compensation  
9 claim.

10 4. The testimony of any physician, chiropractor, psychologist, dentist,  
11 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist who  
12 is licensed to practice where he or she resides or practices in any state and the  
13 testimony of any vocational expert may be received in evidence in compensation  
14 proceedings.

15 **SECTION 702.** 102.13 (2) (a) of the statutes is amended to read:

16 102.13 (2) (a) An employee who reports an injury alleged to be work-related  
17 or files an application for hearing waives any physician-patient,  
18 psychologist-patient, or chiropractor-patient privilege with respect to any condition  
19 or complaint reasonably related to the condition for which the employee claims  
20 compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any  
21 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,  
22 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider  
23 shall, within a reasonable time after written request by the employee, employer,  
24 worker's compensation insurer, department, or division, or its representative,  
25 provide that person with any information or written material reasonably related to

1 any injury for which the employee claims compensation. If the request is by a  
2 representative of a worker's compensation insurer for a billing statement, the  
3 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,  
4 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider  
5 shall, within 30 days after receiving the request, provide that person with a complete  
6 copy of an itemized billing statement or a billing statement in a standard billing  
7 format recognized by the federal government.

8 **SECTION 703.** 102.13 (2) (b) of the statutes is amended to read:

9 102.13 (2) (b) A physician, chiropractor, podiatrist, psychologist, dentist,  
10 physician assistant, advanced practice registered nurse ~~prescriber~~, hospital, or  
11 health service provider shall furnish a legible, certified duplicate of the written  
12 material requested under par. (a) in paper format upon payment of the actual costs  
13 of preparing the certified duplicate, not to exceed the greater of 45 cents per page or  
14 \$7.50 per request, plus the actual costs of postage, or shall furnish a legible, certified  
15 duplicate of that material in electronic format upon payment of \$26 per request. Any  
16 person who refuses to provide certified duplicates of written material in the person's  
17 custody that is requested under par. (a) shall be liable for reasonable and necessary  
18 costs and, notwithstanding s. 814.04 (1), reasonable attorney fees incurred in  
19 enforcing the requester's right to the duplicates under par. (a).

20 **SECTION 704.** 102.17 (1) (d) 1. and 2. of the statutes are amended to read:

21 102.17 (1) (d) 1. The contents of certified medical and surgical reports by  
22 physicians, podiatrists, surgeons, dentists, psychologists, physician assistants,  
23 advanced practice ~~nurse prescribers~~ registered nurses, and chiropractors licensed in  
24 and practicing in this state, and of certified reports by experts concerning loss of  
25 earning capacity under s. 102.44 (2) and (3), presented by a party for compensation

1 constitute prima facie evidence as to the matter contained in those reports, subject  
2 to any rules and limitations the division prescribes. Certified reports of physicians,  
3 podiatrists, surgeons, dentists, psychologists, physician assistants, advanced  
4 practice nurse prescribers registered nurses, and chiropractors, wherever licensed  
5 and practicing, who have examined or treated the claimant, and of experts, if the  
6 practitioner or expert consents to being subjected to cross-examination, also  
7 constitute prima facie evidence as to the matter contained in those reports. Certified  
8 reports of physicians, podiatrists, surgeons, psychologists, and chiropractors are  
9 admissible as evidence of the diagnosis, necessity of the treatment, and cause and  
10 extent of the disability. Certified reports by doctors of dentistry, physician  
11 assistants, and advanced practice nurse prescribers registered nurses are  
12 admissible as evidence of the diagnosis and necessity of treatment but not of the  
13 cause and extent of disability. Any physician, podiatrist, surgeon, dentist,  
14 psychologist, chiropractor, physician assistant, advanced practice registered nurse  
15 prescriber, or expert who knowingly makes a false statement of fact or opinion in a  
16 certified report may be fined or imprisoned, or both, under s. 943.395.

17 2. The record of a hospital or sanatorium in this state that is satisfactory to the  
18 division, established by certificate, affidavit, or testimony of the supervising officer  
19 of the hospital or sanatorium, any other person having charge of the record, or a  
20 physician, podiatrist, surgeon, dentist, psychologist, physician assistant, advanced  
21 practice registered nurse prescriber, or chiropractor to be the record of the patient  
22 in question, and made in the regular course of examination or treatment of the  
23 patient, constitutes prima facie evidence as to the matter contained in the record, to  
24 the extent that the record is otherwise competent and relevant.

25 **SECTION 705.** 102.29 (3) of the statutes is amended to read:

1           102.29 (3) Nothing in this chapter shall prevent an employee from taking the  
2 compensation that the employee may be entitled to under this chapter and also  
3 maintaining a civil action against any physician, chiropractor, psychologist, dentist,  
4 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist for  
5 malpractice.

6           **SECTION 706.** 102.42 (2) (a) of the statutes is amended to read:

7           102.42 (2) (a) When the employer has notice of an injury and its relationship  
8 to the employment, the employer shall offer to the injured employee his or her choice  
9 of any physician, chiropractor, psychologist, dentist, physician assistant, advanced  
10 practice registered nurse ~~prescriber~~, or podiatrist licensed to practice and practicing  
11 in this state for treatment of the injury. By mutual agreement, the employee may  
12 have the choice of any qualified practitioner not licensed in this state. In case of  
13 emergency, the employer may arrange for treatment without tendering a choice.  
14 After the emergency has passed the employee shall be given his or her choice of  
15 attending practitioner at the earliest opportunity. The employee has the right to a  
16 2nd choice of attending practitioner on notice to the employer or its insurance carrier.  
17 Any further choice shall be by mutual agreement. Partners and clinics are  
18 considered to be one practitioner. Treatment by a practitioner on referral from  
19 another practitioner is considered to be treatment by one practitioner.

20           **SECTION 707.** 106.30 (1) of the statutes is amended to read:

21           106.30 (1) DEFINITION. In this section, “nurse” means a registered nurse  
22 licensed under s. 441.06 or permitted under s. 441.08, a licensed practical nurse  
23 licensed or permitted under s. 441.10, or an advanced practice registered nurse  
24 ~~prescriber certified under s. 441.16 (2), or a nurse-midwife licensed under s. 441.15~~  
25 441.09.

1           **SECTION 708.** 106.30 (2) of the statutes is amended to read:

2           106.30 (2) SURVEY FORM. ~~Each odd-numbered year~~ Biennially, the department  
3 of workforce development shall develop and submit to the department of safety and  
4 professional services a survey form to gather data under s. 441.01 (7) (a) 1. to assist  
5 the department of workforce development in evaluating the supply of, demand for,  
6 and turnover among nurses in this state and in determining whether there are any  
7 regional shortages of nurses, shortages of nurses in any speciality areas, or  
8 impediments to entering the nursing profession in this state.

9           **SECTION 709.** 118.15 (3) (a) of the statutes is amended to read:

10           118.15 (3) (a) Any child who is excused by the school board because the child  
11 is temporarily not in proper physical or mental condition to attend a school program  
12 but who can be expected to return to a school program upon termination or  
13 abatement of the illness or condition. The school attendance officer may request the  
14 parent or guardian of the child to obtain a written statement from a licensed  
15 physician, naturopathic doctor, dentist, chiropractor, optometrist, psychologist,  
16 physician assistant, ~~or nurse practitioner, as defined in s. 255.06 (1) (d), or certified~~  
17 advanced practice registered nurse prescriber, or registered nurse described under  
18 s. 255.06 (1) (f) 1. or Christian Science practitioner living and residing in this state,  
19 who is listed in the Christian Science Journal, as sufficient proof of the physical or  
20 mental condition of the child. An excuse under this paragraph shall be in writing and  
21 shall state the time period for which it is valid, not to exceed 30 days.

22           **SECTION 710.** 118.25 (1) (a) of the statutes is amended to read:

23           118.25 (1) (a) “Practitioner” means a person licensed as a physician,  
24 naturopathic doctor, or physician assistant in any state or licensed as an advanced  
25 practice registered nurse or certified as an advanced practice registered nurse

1 prescriber in any state. In this paragraph, “physician” has the meaning given in s.  
2 448.01 (5).

3 **SECTION 711.** 118.29 (1) (e) of the statutes is amended to read:

4 118.29 (1) (e) “Practitioner” means any physician, naturopathic doctor, dentist,  
5 optometrist, physician assistant, advanced practice registered nurse ~~prescriber with~~  
6 prescribing authority, or podiatrist licensed in any state.

7 **SECTION 712.** 118.2925 (1) (b) of the statutes is repealed.

8 **SECTION 713.** 118.2925 (3) of the statutes is amended to read:

9 118.2925 (3) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice  
10 registered nurse ~~prescriber who may issue prescription orders under s. 441.09 (2)~~,  
11 or a physician assistant may prescribe epinephrine auto-injectors or prefilled  
12 syringes in the name of a school that has adopted a plan under sub. (2) (a), to be  
13 maintained by the school for use under sub. (4).

14 **SECTION 714.** 118.2925 (4) (c) of the statutes is amended to read:

15 118.2925 (4) (c) Administer an epinephrine auto-injector or prefilled syringe  
16 to a pupil or other person who the school nurse or designated school personnel in good  
17 faith believes is experiencing anaphylaxis in accordance with a standing protocol  
18 from a physician, an advanced practice registered nurse ~~prescriber who may issue~~  
19 prescription orders under s. 441.09 (2), or a physician assistant, regardless of  
20 whether the pupil or other person has a prescription for an epinephrine auto-injector  
21 or prefilled syringe. If the pupil or other person does not have a prescription for an  
22 epinephrine auto-injector or prefilled syringe, or the person who administers the  
23 epinephrine auto-injector or prefilled syringe does not know whether the pupil or  
24 other person has a prescription for an epinephrine auto-injector or prefilled syringe,  
25 the person who administers the epinephrine auto-injector or prefilled syringe shall,

1 as soon as practicable, report the administration by dialing the telephone number  
2 “911” or, in an area in which the telephone number “911” is not available, the  
3 telephone number for an emergency medical service provider.

4 **SECTION 715.** 118.2925 (5) of the statutes is amended to read:

5 118.2925 (5) IMMUNITY FROM CIVIL LIABILITY; EXEMPTION FROM PRACTICE OF  
6 MEDICINE. A school and its designated school personnel, and a physician, an advanced  
7 practice registered nurse ~~prescriber~~ who may issue prescription orders under s.  
8 441.09 (2), or a physician assistant who provides a prescription or standing protocol  
9 for school epinephrine auto-injectors or prefilled syringes, are not liable for any  
10 injury that results from the administration or self-administration of an epinephrine  
11 auto-injector or prefilled syringe under this section, regardless of whether  
12 authorization was given by the pupil’s parent or guardian or by the pupil’s physician,  
13 physician assistant, or advanced practice registered nurse ~~prescriber~~, unless the  
14 injury is the result of an act or omission that constitutes gross negligence or willful  
15 or wanton misconduct. The immunity from liability provided under this subsection  
16 is in addition to and not in lieu of that provided under s. 895.48.

17 **SECTION 716.** 146.615 (1) (a) of the statutes is amended to read:

18 146.615 (1) (a) “Advanced practice clinician” means a physician assistant or an  
19 advanced practice registered nurse, ~~including a nurse practitioner, certified~~  
20 ~~nurse-midwife, clinical nurse specialist, or certified registered nurse anesthetist~~  
21 licensed under s. 441.09.

22 **SECTION 717.** 146.81 (1) (c) of the statutes is amended to read:

23 146.81 (1) (c) A dentist or dental therapist licensed under ch. 447.

24 **SECTION 718.** 146.82 (3) (a) of the statutes is amended to read:



1           146.82 (3) (a) Notwithstanding sub. (1), a physician, a naturopathic doctor, a  
2           limited-scope naturopathic doctor, a physician assistant, or an advanced practice  
3           registered nurse prescriber certified under s. 441.16 (2) licensed under s. 441.09 who  
4           treats a patient whose physical or mental condition in the physician's, naturopathic  
5           doctor's, limited-scope naturopathic doctor's, physician assistant's, or advanced  
6           practice nurse prescriber's registered nurse's judgment affects the patient's ability  
7           to exercise reasonable and ordinary control over a motor vehicle may report the  
8           patient's name and other information relevant to the condition to the department of  
9           transportation without the informed consent of the patient.

10           **SECTION 719.** 146.89 (1) (r) 1. of the statutes is amended to read:

11           146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor  
12           under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a  
13           registered nurse, practical nurse, or nurse-midwife under ch. 441, an optometrist  
14           under ch. 449, a physician assistant under subch. IX of ch. 448, a pharmacist under  
15           ch. 450, a chiropractor under ch. 446, a podiatrist under subch. IV of ch. 448, or a  
16           physical therapist under subch. III of ch. 448.

17           **SECTION 49e.** 146.89 (1) (r) 1. of the statutes, as affected by 2023 Wisconsin Act  
18           .... (this act), is amended to read:

19           146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor  
20           under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a  
21           registered nurse, practical nurse, or ~~nurse-midwife~~ advanced practice registered  
22           nurse under ch. 441, an optometrist under ch. 449, a physician assistant under  
23           subch. IX of ch. 448, a pharmacist under ch. 450, a chiropractor under ch. 446, a  
24           podiatrist under subch. IV of ch. 448, or a physical therapist under subch. III of ch.  
25           448.

1           **SECTION 720.** 146.89 (1) (r) 3. of the statutes is renumbered 146.89 (1) (r) 5e.  
2 and amended to read:

3           146.89 (1) (r) 5e. A registered nurse practitioner, as defined in s. 255.06 (1) (d)  
4 who holds a multistate license, as defined in s. 441.51 (2) (h), issued by a party state,  
5 as defined in s. 441.51 (2) (k), and whose practice of professional nursing under s.  
6 441.001 (4) includes performance of delegated medical services under the  
7 supervision of a physician, dentist, podiatrist, or advanced practice registered nurse.

8           **SECTION 721.** 146.89 (1) (r) 5. of the statutes is amended to read:

9           146.89 (1) (r) 5. An individual who holds a valid, unexpired license,  
10 certification, or registration issued by another state or territory that authorizes or  
11 qualifies the individual to perform acts that are substantially the same as those acts  
12 that an individual who is described in subds. 1. to 4., except a dentist, dental  
13 therapist, or dental hygienist, is licensed or certified to perform and who performs  
14 acts that are within the scope of that license, certification, or registration.

15           **SECTION 722.** 146.89 (1) (r) 8. of the statutes is repealed.

16           **SECTION 723.** 146.89 (3) (b) 8. of the statutes is amended to read:

17           146.89 (3) (b) 8. Dental services, including tooth extractions and other  
18 procedures done under local anesthesia only and any necessary suturing related to  
19 the extractions, performed by a dentist or dental therapist who is a volunteer health  
20 provider; and dental hygiene services, performed by a dental hygienist who is a  
21 volunteer health provider.

22           **SECTION 724.** 146.89 (3m) (intro.) of the statutes is amended to read:

23           146.89 (3m) (intro.) A volunteer health care provider who is a dentist or dental  
24 therapist may provide dental services or a volunteer health care provider who is a

1 dental hygienist may provide dental hygiene services, to persons who are recipients  
2 of Medical Assistance, if all of the following apply:

3 **SECTION 725.** 146.89 (6) of the statutes is amended to read:

4 146.89 (6) (a) While serving as a volunteer health care provider under this  
5 section, an advanced practice registered nurse ~~who has a certificate to issue~~  
6 ~~prescription orders under s. 441.16 (2)~~ is considered to meet the requirements of s.  
7 655.23, if required to comply with s. 655.23.

8 (b) While serving as a volunteer health care provider under this section, an  
9 advanced practice registered nurse ~~who has a certificate to issue prescription orders~~  
10 ~~under s. 441.16 (2)~~ is not required to maintain in effect malpractice insurance.

11 **SECTION 726.** 146.997 (1) (d) 3. of the statutes is amended to read:

12 146.997 (1) (d) 3. A dentist or dental therapist licensed under ch. 447.

13 **SECTION 727.** 154.01 (1g) of the statutes is amended to read:

14 154.01 (1g) “Advanced practice registered nurse” means ~~a nurse~~ an individual  
15 ~~licensed under ch. 441 who is currently certified by a national certifying body~~  
16 ~~approved by the board of nursing as a nurse practitioner, certified nurse-midwife,~~  
17 ~~certified registered nurse anesthetist, or clinical nurse specialist~~ s. 441.09.

18 **SECTION 728.** 155.01 (1g) (b) of the statutes is repealed and recreated to read:

19 155.01 (1g) (b) An individual who is licensed as an advanced practice registered  
20 nurse and possesses a nurse practitioner specialty designation under s. 441.09.

21 **SECTION 729.** 155.01 (7) of the statutes, as affected by 2021 Wisconsin Act 251,  
22 is amended to read:

23 155.01 (7) “Health care provider” means a nurse licensed or permitted under  
24 ch. 441, a chiropractor licensed under ch. 446, a dentist or dental therapist licensed  
25 under ch. 447, a physician, physician assistant, perfusionist, podiatrist, physical

1 therapist, physical therapist assistant, occupational therapist, occupational therapy  
2 assistant, or genetic counselor licensed under ch. 448, a naturopathic doctor licensed  
3 under ch. 466, a person practicing Christian Science treatment, an optometrist  
4 licensed under ch. 449, a psychologist who is licensed under ch. 455, who is exercising  
5 the temporary authorization to practice, as defined in s. 455.50 (2) (o), in this state,  
6 or who is practicing under the authority to practice interjurisdictional  
7 telepsychology, as defined in s. 455.50 (2) (b), a physical therapist or physical  
8 therapist assistant who holds a compact privilege under subch. XI of ch. 448, an  
9 occupational therapist or occupational therapy assistant who holds a compact  
10 privilege under subch. XII of ch. 448, a partnership thereof, a corporation or limited  
11 liability company thereof that provides health care services, a cooperative health  
12 care association organized under s. 185.981 that directly provides services through  
13 salaried employees in its own facility, or a home health agency, as defined in s. 50.49  
14 (1) (a).

15 **SECTION 730.** 227.01 (13) (zxm) of the statutes is created to read:

16 227.01 (13) (zxm) Establishes or adjusts a renewal date or renewal cycle for  
17 credentials that are subject to periodic renewal under s. 440.08 (2) (a) 1n.

18 **SECTION 731.** 251.01 (1c) of the statutes is repealed and recreated to read:

19 251.01 (1c) “Advanced practice registered nurse” means an individual licensed  
20 under s. 441.09.

21 **SECTION 732.** 252.01 (1c) of the statutes is repealed.

22 **SECTION 733.** 252.07 (8) (a) 2. of the statutes is amended to read:

23 252.07 (8) (a) 2. The department or local health officer provides to the court a  
24 written statement from a physician, physician assistant, or advanced practice

1 registered nurse prescriber that the individual has infectious tuberculosis or suspect  
2 tuberculosis.

3 **SECTION 734.** 252.07 (9) (c) of the statutes is amended to read:

4 252.07 **(9)** (c) If the court orders confinement of an individual under this  
5 subsection, the individual shall remain confined until the department or local health  
6 officer, with the concurrence of a treating physician, physician assistant, or advanced  
7 practice registered nurse prescriber, determines that treatment is complete or that  
8 the individual is no longer a substantial threat to himself or herself or to the public  
9 health. If the individual is to be confined for more than 6 months, the court shall  
10 review the confinement every 6 months.

11 **SECTION 735.** 252.10 (7) of the statutes is amended to read:

12 252.10 **(7)** Drugs necessary for the treatment of mycobacterium tuberculosis  
13 shall be purchased by the department from the appropriation account under s.  
14 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local  
15 health departments, physicians, or advanced practice nurse prescribers registered  
16 nurses who may issue prescription orders under s. 441.09 (2).

17 **SECTION 736.** 252.11 (2), (4), (5) and (7) of the statutes are amended to read:

18 252.11 **(2)** An officer of the department or a local health officer having  
19 knowledge of any reported or reasonably suspected case or contact of a sexually  
20 transmitted disease for which no appropriate treatment is being administered, or of  
21 an actual contact of a reported case or potential contact of a reasonably suspected  
22 case, shall investigate or cause the case or contact to be investigated as necessary.  
23 If, following a request of an officer of the department or a local health officer, a person  
24 reasonably suspected of being infected with a sexually transmitted disease refuses  
25 or neglects examination by a physician, physician assistant, or advanced practice

1 ~~registered nurse prescriber~~ or treatment, an officer of the department or a local  
2 health officer may proceed to have the person committed under sub. (5) to an  
3 institution or system of care for examination, treatment, or observation.

4 (4) If a person infected with a sexually transmitted disease ceases or refuses  
5 treatment before reaching what in a physician's, physician assistant's, or advanced  
6 practice nurse prescriber's registered nurse's opinion is the noncommunicable stage,  
7 the physician, physician assistant, or advanced practice registered nurse prescriber  
8 shall notify the department. The department shall without delay take the necessary  
9 steps to have the person committed for treatment or observation under sub. (5), or  
10 shall notify the local health officer to take these steps.

11 (5) Any court of record may commit a person infected with a sexually  
12 transmitted disease to any institution or may require the person to undergo a system  
13 of care for examination, treatment, or observation if the person ceases or refuses  
14 examination, treatment, or observation under the supervision of a physician,  
15 physician assistant, or advanced practice registered nurse prescriber. The court  
16 shall summon the person to appear on a date at least 48 hours, but not more than  
17 96 hours, after service if an officer of the department or a local health officer petitions  
18 the court and states the facts authorizing commitment. If the person fails to appear  
19 or fails to accept commitment without reasonable cause, the court may cite the  
20 person for contempt. The court may issue a warrant and may direct the sheriff, any  
21 constable, or any police officer of the county immediately to arrest the person and  
22 bring the person to court if the court finds that a summons will be ineffectual. The  
23 court shall hear the matter of commitment summarily. Commitment under this  
24 subsection continues until the disease is no longer communicable or until other  
25 provisions are made for treatment that satisfy the department. The certificate of the

1 petitioning officer is prima facie evidence that the disease is no longer communicable  
2 or that satisfactory provisions for treatment have been made.

3 (7) Reports, examinations and inspections, and all records concerning sexually  
4 transmitted diseases are confidential and not open to public inspection, and may not  
5 be divulged except as may be necessary for the preservation of the public health, in  
6 the course of commitment proceedings under sub. (5), or as provided under s. 938.296  
7 (4) or 968.38 (4). If a physician, physician assistant, or advanced practice registered  
8 nurse ~~prescriber~~ has reported a case of sexually transmitted disease to the  
9 department under sub. (4), information regarding the presence of the disease and  
10 treatment is not privileged when the patient, physician, physician assistant, or  
11 advanced practice registered nurse ~~prescriber~~ is called upon to testify to the facts  
12 before any court of record.

13 **SECTION 737.** 252.11 (10) of the statutes is amended to read:

14 252.11 (10) The state laboratory of hygiene shall examine specimens for the  
15 diagnosis of sexually transmitted diseases for any physician, naturopathic doctor,  
16 physician assistant, advanced practice registered nurse ~~prescriber~~, or local health  
17 officer in the state, and shall report the positive results of the examinations to the  
18 local health officer and to the department. All laboratories performing tests for  
19 sexually transmitted diseases shall report all positive results to the local health  
20 officer and to the department, with the name of the physician, naturopathic doctor,  
21 physician assistant, or advanced practice registered nurse ~~prescriber~~ to whom  
22 reported.

23 **SECTION 738.** 252.14 (1) (ar) 3. of the statutes is amended to read:

24 252.14 (1) (ar) 3. A dentist or dental therapist licensed under ch. 447.

1           **SECTION 739.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and  
2           3. and (7m) (intro.) and (b) of the statutes are amended to read:

3           252.15 **(3m)** (d) 11. b. The coroner, medical examiner, or appointed assistant  
4           is investigating the cause of death of the subject of the HIV test and has contact with  
5           the body fluid of the subject of the HIV test that constitutes a significant exposure,  
6           if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,  
7           based on information provided to the physician, physician assistant, or advanced  
8           practice registered nurse ~~prescriber~~, determines and certifies in writing that the  
9           coroner, medical examiner, or appointed assistant has had a contact that constitutes  
10          a significant exposure and if the certification accompanies the request for disclosure.

11          13. If the subject of the HIV test has a positive HIV test result and is deceased,  
12          by the subject's attending physician, physician assistant, or advanced practice  
13          registered nurse ~~prescriber~~, to persons, if known to the physician, physician  
14          assistant, or advanced practice registered nurse ~~prescriber~~, with whom the subject  
15          had sexual contact or shared intravenous drug use paraphernalia.

16          **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse  
17          ~~prescriber~~, based on information provided to the physician, physician assistant, or  
18          advanced practice registered nurse ~~prescriber~~, determines and certifies in writing  
19          that the person has had contact that constitutes a significant exposure. The  
20          certification shall accompany the request for HIV testing and disclosure. If the  
21          person is a physician, physician assistant, or advanced practice registered nurse  
22          ~~prescriber~~, he or she may not make this determination or certification. The  
23          information that is provided to a physician, physician assistant, or advanced practice  
24          registered nurse ~~prescriber~~ to document the occurrence of the contact that  
25          constitutes a significant exposure and the physician's, physician assistant's, or



1 advanced practice nurse ~~prescriber's~~ registered nurse's certification that the person  
2 has had contact that constitutes a significant exposure, shall be provided on a report  
3 form that is developed by the department of safety and professional services under  
4 s. 101.02 (19) (a) or on a report form that the department of safety and professional  
5 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report  
6 form that is developed under s. 101.02 (19) (a).

7 **(5m)** (d) 2. A physician, physician assistant, or advanced practice registered  
8 nurse ~~prescriber~~, based on information provided to the physician, physician  
9 assistant, or advanced practice registered nurse ~~prescriber~~, determines and certifies  
10 in writing that the contact under subd. 1. constitutes a significant exposure. A health  
11 care provider who has a contact under subd. 1. c. may not make the certification  
12 under this subdivision for himself or herself.

13 (e) 2. If the contact occurs as provided under par. (d) 1. b., the attending  
14 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ of  
15 the funeral director, coroner, medical examiner, or appointed assistant.

16 3. If the contact occurs as provided under par. (d) 1. c., the physician, physician  
17 assistant, or advanced practice registered nurse ~~prescriber~~ who makes the  
18 certification under par. (d) 2.

19 **(7m)** REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,  
20 validated HIV test result is obtained from a test subject, the test subject's physician,  
21 physician assistant, or advanced practice registered nurse ~~prescriber~~ who maintains  
22 a record of the HIV test result under sub. (4) (c) may report to the state epidemiologist  
23 the name of any person known to the physician, physician assistant, or advanced  
24 practice registered nurse ~~prescriber~~ to have had contact with body fluid of the test  
25 subject that constitutes a significant exposure, only after the physician, physician

1 assistant, or advanced practice registered nurse ~~prescriber~~ has done all of the  
2 following:

3 (b) Notified the HIV test subject that the name of any person known to the  
4 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ to  
5 have had contact with body fluid of the test subject that constitutes a significant  
6 exposure will be reported to the state epidemiologist.

7 **SECTION 740.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

8 252.16 (3) (c) (intro.) Has submitted to the department a certification from a  
9 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice  
10 registered nurse ~~prescriber~~ of all of the following:

11 **SECTION 741.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

12 252.17 (3) (c) (intro.) Has submitted to the department a certification from a  
13 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice  
14 registered nurse ~~prescriber~~ of all of the following:

15 **SECTION 742.** 253.07 (4) (d) of the statutes is amended to read:

16 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in  
17 communities of licensed registered nurses, licensed practical nurses, ~~certified~~  
18 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician  
19 assistants who are members of a racial minority.

20 **SECTION 743.** 253.115 (1) (f) of the statutes is created to read:

21 253.115 (1) (f) "Nurse-midwife" means an individual who is licensed as an  
22 advanced practice registered nurse and possesses a certified nurse-midwife  
23 specialty designation under s. 441.09.

24 **SECTION 744.** 253.115 (4) of the statutes is amended to read:

1           253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,  
2           nurse-midwife ~~licensed under s. 441.15~~, or certified professional midwife licensed  
3           under s. 440.982 who attended the birth shall ensure that the infant is screened for  
4           hearing loss before being discharged from a hospital, or within 30 days of birth if the  
5           infant was not born in a hospital.

6           **SECTION 745.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

7           253.115 (7) (a) (intro.) The physician, nurse-midwife ~~licensed under s. 441.15~~,  
8           or certified professional midwife licensed under s. 440.982 who is required to ensure  
9           that the infant is screened for hearing loss under sub. (4) shall do all of the following:

10          **SECTION 746.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and  
11          amended to read:

12          253.13 (1) (b) The attending physician or nurse ~~licensed under s. 441.15~~  
13          nurse-midwife shall cause every infant born in each hospital or maternity home,  
14          prior to its discharge therefrom, to be subjected to tests for congenital and metabolic  
15          disorders, as specified in rules promulgated by the department. If the infant is born  
16          elsewhere than in a hospital or maternity home, the attending physician, nurse  
17          ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth  
18          shall cause the infant, within one week of birth, to be subjected to these tests.

19          **SECTION 747.** 253.13 (1) (a) of the statutes is created to read:

20          253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is  
21          licensed as an advanced practice registered nurse and possesses a certified  
22          nurse-midwife specialty designation under s. 441.09.

23          **SECTION 748.** 253.15 (1) (em) of the statutes is created to read:

1           253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an  
2 advanced practice registered nurse and possesses a certified nurse-midwife  
3 specialty designation under s. 441.09.

4           **SECTION 749.** 253.15 (2) of the statutes is amended to read:

5           253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or  
6 arrange with a nonprofit organization to prepare printed and audiovisual materials  
7 relating to shaken baby syndrome and impacted babies. The materials shall include  
8 information regarding the identification and prevention of shaken baby syndrome  
9 and impacted babies, the grave effects of shaking or throwing on an infant or young  
10 child, appropriate ways to manage crying, fussing, or other causes that can lead a  
11 person to shake or throw an infant or young child, and a discussion of ways to reduce  
12 the risks that can lead a person to shake or throw an infant or young child. The  
13 materials shall be prepared in English, Spanish, and other languages spoken by a  
14 significant number of state residents, as determined by the board. The board shall  
15 make those written and audiovisual materials available to all hospitals, maternity  
16 homes, and nurse-midwives licensed under ~~s. 441.15~~ that are required to provide or  
17 make available materials to parents under sub. (3) (a) 1., to the department and to  
18 all county departments and nonprofit organizations that are required to provide the  
19 materials to child care providers under sub. (4) (d), and to all school boards and  
20 nonprofit organizations that are permitted to provide the materials to pupils in one  
21 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make  
22 those written materials available to all county departments and Indian tribes that  
23 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers  
24 of prenatal, postpartum, and young child care coordination services under s. 49.45  
25 (44). The board may make available the materials required under this subsection

1 to be made available by making those materials available at no charge on the board's  
2 Internet site.

3 **SECTION 750.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)  
4 and amended to read:

5 255.06 (1) (f) (intro.) “Nurse practitioner” “Women’s health nurse clinician”  
6 means ~~a~~ any of the following:

7 1. A registered nurse who is licensed under ch. 441 or who holds a multistate  
8 license, as defined in s. 441.51 (2) (h), issued in a party state, as defined in s. 441.51  
9 (2) (k), and whose practice of professional nursing under s. 441.001 (4) includes  
10 performance of delegated medical services under the supervision of a physician,  
11 naturopathic doctor, dentist, ~~or podiatrist,~~ or advanced practice registered nurse.

12 **SECTION 751.** 255.06 (1) (f) 2. of the statutes is created to read:  
13 255.06 (1) (f) 2. An advanced practice registered nurse.

14 **SECTION 752.** 255.06 (2) (d) of the statutes is amended to read:

15 255.06 (2) (d) *Specialized training for rural colposcopic examinations and*  
16 *activities.* Provide not more than \$25,000 in each fiscal year as reimbursement for  
17 the provision of specialized training of ~~nurse practitioners~~ women’s health nurse  
18 clinicians to perform, in rural areas, colposcopic examinations and follow-up  
19 activities for the treatment of cervical cancer.

20 **SECTION 753.** 255.07 (1) (d) of the statutes is amended to read:

21 255.07 (1) (d) “Health care practitioner” means a physician, a physician  
22 assistant, or an advanced practice registered nurse who ~~is certified to~~ may issue  
23 prescription orders under s. ~~441.16~~ 441.09 (2).

24 **SECTION 754.** 257.01 (5) (a) of the statutes is amended to read:

1           257.01 (5) (a) An individual who is licensed as a physician, a physician  
2 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.  
3 466, licensed as a registered nurse, licensed practical nurse, or nurse-midwife under  
4 ch. 441, licensed as a dentist or dental therapist under ch. 447, licensed as a  
5 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary  
6 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448.

7           **SECTION 84e.** 257.01 (5) (a) of the statutes, as affected by 2023 Wisconsin Act  
8 .... (this act), is amended to read:

9           257.01 (5) (a) An individual who is licensed as a physician, a physician  
10 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.  
11 466, licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~  
12 advanced practice registered nurse under ch. 441, licensed as a dentist or dental  
13 therapist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a  
14 veterinarian or certified as a veterinary technician under ch. 89, or certified as a  
15 respiratory care practitioner under ch. 448.

16           **SECTION 755.** 257.01 (5) (b) of the statutes is amended to read:

17           257.01 (5) (b) An individual who was at any time within the previous 10 years,  
18 but is not currently, licensed as a physician, a physician assistant, or a podiatrist  
19 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a  
20 registered nurse, licensed practical nurse or nurse-midwife, under ch. 441, licensed  
21 as a dentist or dental therapist under ch. 447, licensed as a pharmacist under ch. 450,  
22 licensed as a veterinarian or certified as a veterinary technician under ch. 89, or  
23 certified as a respiratory care practitioner under ch. 448, if the individual's license  
24 or certification was never revoked, limited, suspended, or denied renewal.

1           **SECTION 85e.** 257.01 (5) (b) of the statutes, as affected by 2023 Wisconsin Act  
2 .... (this act), is amended to read:

3           257.01 **(5)** (b) An individual who was at any time within the previous 10 years,  
4 but is not currently, licensed as a physician, a physician assistant, or a podiatrist  
5 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a  
6 registered nurse, licensed practical nurse, or ~~nurse-midwife~~, advanced practice  
7 registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441, 2021  
8 stats., licensed as a dentist or dental therapist under ch. 447, licensed as a  
9 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary  
10 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448,  
11 if the individual's license or certification was never revoked, limited, suspended, or  
12 denied renewal.

13           **SECTION 756.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended  
14 to read:

15           341.14 **(1a)** If any resident of this state, who is registering or has registered an  
16 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck  
17 which has a gross weight of not more than 8,000 pounds, a farm truck which has a  
18 gross weight of not more than 12,000 pounds or a motor home, submits a statement  
19 once every 4 years, as determined by the department, from a physician licensed to  
20 practice medicine in any state, from an advanced practice registered nurse licensed  
21 to practice nursing in any state, from a public health nurse certified or licensed to  
22 practice in any state, from a physician assistant licensed or certified to practice in  
23 any state, from a podiatrist licensed to practice in any state, from a chiropractor  
24 licensed to practice chiropractic in any state, or from a Christian Science practitioner  
25 residing in this state and listed in the Christian Science journal certifying to the

1 department that the resident is a person with a disability that limits or impairs the  
2 ability to walk, the department shall procure, issue and deliver to the disabled  
3 person plates of a special design in lieu of plates which ordinarily would be issued  
4 for the vehicle, and shall renew the plates. The plates shall be so designed as to  
5 readily apprise law enforcement officers of the fact that the vehicle is owned by a  
6 nonveteran disabled person and is entitled to the parking privileges specified in s.  
7 346.50 (2a). No charge in addition to the registration fee shall be made for the  
8 issuance or renewal of such plates.

9 (1e) (a) If any resident of this state, who is registering or has registered a  
10 motorcycle, submits a statement once every 4 years, as determined by the  
11 department, from a physician licensed to practice medicine in any state, from an  
12 advanced practice registered nurse licensed to practice nursing in any state, from a  
13 public health nurse certified or licensed to practice in any state, from a physician  
14 assistant licensed or certified to practice in any state, from a podiatrist licensed to  
15 practice in any state, from a chiropractor licensed to practice chiropractic in any  
16 state, from a Christian Science practitioner residing in this state and listed in the  
17 Christian Science journal, or from the U.S. department of veterans affairs certifying  
18 to the department that the resident is a person with a disability that limits or impairs  
19 the ability to walk, the department shall procure, issue and deliver to the disabled  
20 person a plate of a special design in lieu of the plate which ordinarily would be issued  
21 for the motorcycle, and shall renew the plate. The statement shall state whether the  
22 disability is permanent or temporary and, if temporary, the opinion of the physician,  
23 advanced practice registered nurse, public health nurse, physician assistant,  
24 podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the  
25 duration of the disability. The plate shall be so designed as to readily apprise law



1 enforcement officers of the fact that the motorcycle is owned by a disabled person and  
2 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition  
3 to the registration fee may be made for the issuance or renewal of the plate.

4 **(1m)** If any licensed driver submits to the department a statement once every  
5 4 years, as determined by the department, from a physician licensed to practice  
6 medicine in any state, from a public health nurse certified or licensed to practice in  
7 any state, from an advanced practice registered nurse licensed to practice nursing  
8 in any state, from a physician assistant licensed or certified to practice in any state,  
9 from a podiatrist licensed to practice in any state, from a chiropractor licensed to  
10 practice chiropractic in any state, or from a Christian Science practitioner residing  
11 in this state and listed in the Christian Science journal certifying that another  
12 person who is regularly dependent on the licensed driver for transportation is a  
13 person with a disability that limits or impairs the ability to walk, the department  
14 shall issue and deliver to the licensed driver plates of a special design in lieu of the  
15 plates which ordinarily would be issued for the automobile or motor truck, dual  
16 purpose motor home or dual purpose farm truck having a gross weight of not more  
17 than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds  
18 or motor home, and shall renew the plates. The plates shall be so designed as to  
19 readily apprise law enforcement officers of the fact that the vehicle is operated by a  
20 licensed driver on whom a disabled person is regularly dependent and is entitled to  
21 the parking privileges specified in s. 346.50 (2a). No charge in addition to the  
22 registration fee may be made for the issuance or renewal of the plates. The plates  
23 shall conform to the plates required in sub. (1a).

24 **(1q)** If any employer who provides an automobile, or a motor truck, dual  
25 purpose motor home or dual purpose farm truck which has a gross weight of not more

1 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000  
2 pounds or a motor home, for an employee's use submits to the department a  
3 statement once every 4 years, as determined by the department, from a physician  
4 licensed to practice medicine in any state, from an advanced practice registered  
5 nurse licensed to practice nursing in any state, from a public health nurse certified  
6 or licensed to practice in any state, from a physician assistant licensed or certified  
7 to practice in any state, from a podiatrist licensed to practice in any state, from a  
8 chiropractor licensed to practice chiropractic in any state, or from a Christian  
9 Science practitioner residing in this state and listed in the Christian Science journal  
10 certifying that the employee is a person with a disability that limits or impairs the  
11 ability to walk, the department shall issue and deliver to such employer plates of a  
12 special design in lieu of the plates which ordinarily would be issued for the vehicle,  
13 and shall renew the plates. The plates shall be so designed as to readily apprise law  
14 enforcement officers of the fact that the vehicle is operated by a disabled person and  
15 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition  
16 to the registration fee may be made for the issuance or renewal of the plates. The  
17 plates shall conform to the plates required in sub. (1a).

18 **SECTION 757.** 343.16 (5) (a) of the statutes is amended to read:

19 343.16 (5) (a) The secretary may require any applicant for a license or any  
20 licensed operator to submit to a special examination by such persons or agencies as  
21 the secretary may direct to determine incompetency, physical or mental disability,  
22 disease, or any other condition that might prevent such applicant or licensed person  
23 from exercising reasonable and ordinary control over a motor vehicle. If the  
24 department requires the applicant to submit to an examination, the applicant shall  
25 pay for the examination. If the department receives an application for a renewal or

1 duplicate license after voluntary surrender under s. 343.265 or receives a report from  
2 a physician, physician assistant, advanced practice registered nurse ~~prescriber~~  
3 ~~certified under s. 441.16 (2)~~ licensed under s. 441.09, or optometrist under s. 146.82  
4 (3), or if the department has a report of 2 or more arrests within a one-year period  
5 for any combination of violations of s. 346.63 (1) or (5) or a local ordinance in  
6 conformity with s. 346.63 (1) or (5) or a law of a federally recognized American Indian  
7 tribe or band in this state in conformity with s. 346.63 (1) or (5), or s. 346.63 (1m),  
8 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved  
9 the use of a vehicle, the department shall determine, by interview or otherwise,  
10 whether the operator should submit to an examination under this section. The  
11 examination may consist of an assessment. If the examination indicates that  
12 education or treatment for a disability, disease or condition concerning the use of  
13 alcohol, a controlled substance or a controlled substance analog is appropriate, the  
14 department may order a driver safety plan in accordance with s. 343.30 (1q). If there  
15 is noncompliance with assessment or the driver safety plan, the department shall  
16 revoke the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

17 **SECTION 758.** 343.51 (1) of the statutes is amended to read:

18 343.51 (1) Any person who qualifies for registration plates of a special design  
19 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits  
20 or impairs the ability to walk may request from the department a special  
21 identification card that will entitle any motor vehicle parked by, or under the  
22 direction of, the person, or a motor vehicle operated by or on behalf of the  
23 organization when used to transport such a person, to parking privileges under s.  
24 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined  
25 by the department, upon submission by the applicant, if the applicant is an

1 individual rather than an organization, of a statement from a physician licensed to  
2 practice medicine in any state, from an advanced practice registered nurse licensed  
3 to practice nursing in any state, from a public health nurse certified or licensed to  
4 practice in any state, from a physician assistant licensed or certified to practice in  
5 any state, from a podiatrist licensed to practice in any state, from a chiropractor  
6 licensed to practice chiropractic in any state, or from a Christian Science practitioner  
7 residing in this state and listed in the Christian Science journal that the person is  
8 a person with a disability that limits or impairs the ability to walk. The statement  
9 shall state whether the disability is permanent or temporary and, if temporary, the  
10 opinion of the physician, advanced practice registered nurse, public health nurse,  
11 physician assistant, podiatrist, chiropractor, or practitioner as to the duration of the  
12 disability. The department shall issue the card upon application by an organization  
13 on a form prescribed by the department if the department believes that the  
14 organization meets the requirements under this subsection.

15 **SECTION 759.** 343.62 (4) (a) 4. of the statutes is amended to read:

16 343.62 (4) (a) 4. The applicant submits with the application a statement  
17 completed within the immediately preceding 24 months, except as provided by rule,  
18 by a physician licensed to practice medicine in any state, from an advanced practice  
19 registered nurse licensed to practice nursing in any state, from a physician assistant  
20 licensed or certified to practice in any state, from a podiatrist licensed to practice in  
21 any state, from a chiropractor licensed to practice chiropractic in any state, or from  
22 a Christian Science practitioner residing in this state, and listed in the Christian  
23 Science journal certifying that, in the medical care provider's judgment, the  
24 applicant is physically fit to teach driving.

25 **SECTION 760.** 440.01 (1) (dL) of the statutes is created to read:

1           440.01 (1) (dL) “Renewal cycle” means the period of time between 2 successive  
2 renewal dates.

3           **SECTION 761.** 440.01 (1) (dm) of the statutes is amended to read:

4           440.01 (1) (dm) “Renewal date” means the date, determined by the department  
5 under s. 440.08 (2), on which a credential expires and before which it must be  
6 renewed for the holder to maintain without interruption the rights, privileges and  
7 authority conferred by the credential.

8           **SECTION 762.** 440.03 (13) (b) 3. of the statutes is repealed.

9           **SECTION 763.** 440.03 (13) (b) 20m. of the statutes is created to read:

10          440.03 (13) (b) 20m. Dental therapist.

11          **SECTION 764.** 440.03 (13) (b) 39m. of the statutes is created to read:

12          440.03 (13) (b) 39m. Nurse, advanced practice registered.

13          **SECTION 765.** 440.03 (13) (b) 42. of the statutes is repealed.

14          **SECTION 766.** 440.03 (13) (br) of the statutes is created to read:

15          440.03 (13) (br) When conducting an investigation of an arrest or conviction  
16 record under par. (a) or (bm), the department shall review and obtain information to  
17 determine the circumstances of each case or offense, except that the department may,  
18 in its discretion, complete its investigation of an arrest or conviction record without  
19 reviewing the circumstances of any of the following types of violations:

20           1. If the violation occurred more than 5 years before the application date, a first  
21 violation of s. 346.63 (1) (a), (am), or (b) or a local ordinance in conformity therewith  
22 or a law of a federally recognized American Indian tribe or band in this state in  
23 conformity with s. 346.63 (1) (a), (am), or (b) or the law of another jurisdiction  
24 prohibiting driving or operating a motor vehicle while intoxicated or under the  
25 influence of alcohol, a controlled substance, a controlled substance analog, or a

1 combination thereof or under the influence of any drug that renders the person  
2 incapable of safely driving, as those or substantially similar terms are used in that  
3 jurisdiction's laws.

4 2. A violation of s. 125.07 (4) (a) or (b) or a local ordinance that strictly conforms  
5 to s. 125.07 (4) (a) or (b) or of a substantially similar law of another jurisdiction.

6 3. A minor, nonviolent ordinance violation, as determined by the department.

7 **SECTION 767.** 440.03 (14) (c) of the statutes is amended to read:

8 440.03 (14) (c) The renewal dates for certificates granted under par. (a) and  
9 licenses granted under par. (am) ~~are specified in~~ shall be determined by the  
10 department under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
11 department on a form provided by the department and shall include the renewal fee  
12 determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the  
13 department that the person's certification, registration, or accreditation specified in  
14 par. (a) 1. a., 2. a., or 3. a. has not been revoked.

15 **SECTION 768.** 440.03 (15) of the statutes is amended to read:

16 440.03 (15) The department shall promulgate rules that establish the fees  
17 specified in ss. 440.05 (10) and 440.08 ~~(2) (d)~~ (2m) (c).

18 **SECTION 769.** 440.032 (5) of the statutes is amended to read:

19 440.032 (5) LICENSE RENEWAL. The renewal dates for licenses granted under  
20 sub. (3) ~~are specified in~~ shall be as determined by the department under s. 440.08 (2)  
21 ~~(a) 68e~~. Renewal applications shall be submitted to the department on a form  
22 provided by the department and shall include the renewal fee determined by the  
23 department under s. 440.03 (9) (a) and evidence satisfactory to the department that  
24 the person's certification or membership specified in sub. (3) that is required for the  
25 license has not been revoked or invalidated.

1           **SECTION 770.** 440.077 (1) (a) of the statutes is amended to read:

2           440.077 (1) (a) “Advanced practice registered nurse ~~prescriber~~” means an  
3 advanced practice registered nurse ~~prescriber-certified~~ licensed under s. 441.16 (2)  
4 441.09.

5           **SECTION 771.** 440.077 (2) (c) of the statutes is amended to read:

6           440.077 (2) (c) Under the program under par. (a), a participating military  
7 medical personnel shall be supervised by a physician, physician assistant,  
8 podiatrist, registered professional nurse, or advanced practice registered nurse  
9 ~~prescriber~~. The supervising physician, physician assistant, podiatrist, registered  
10 professional nurse, or advanced practice registered nurse ~~prescriber~~ shall retain  
11 responsibility for the care of the patient.

12           **SECTION 772.** 440.08 (2) (title) of the statutes is amended to read:

13           440.08 (2) (title) ~~RENEWAL DATES, FEES AND APPLICATIONS.~~

14           **SECTION 773.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

15           440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
16 444.03, 444.11, 447.04 (2) (c) 2., 447.05 (1) (b), 449.17 (1m) (d), 449.18 (2) (e), 455.06  
17 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, ~~the renewal dates for~~  
18 ~~credentials are as follows~~ all of the following apply with respect to renewals of  
19 credentials:

20           **SECTION 774.** 440.08 (2) (a) 1. to 37. of the statutes, as affected by 2023  
21 Wisconsin Act .... (this act), are repealed.

22           **SECTION 775.** 440.08 (2) (a) 1n. and 2n. of the statutes are created to read:

23           440.08 (2) (a) 1n. The department shall establish renewal dates and renewal  
24 cycles for credentials that are subject to periodic renewal and may adjust the renewal  
25 dates and renewal cycles so established. For practicality and expediency, the

1 department may stagger renewal cycles among credential holders. The department  
2 shall consult with the relevant credentialing boards in establishing renewal dates  
3 and renewal cycles under this subdivision and shall notify each credential holder of  
4 any renewal date or renewal cycle established or adjusted under this subdivision.  
5 The department shall publish a schedule of renewal dates and renewal cycles on its  
6 website.

7 2n. The department or a credentialing board may promulgate rules to do any  
8 of the following:

9 a. Establish interim continuing education or other reporting requirements  
10 between renewal dates established under subd. 1n. as needed to account for the  
11 length of a renewal cycle established under subd. 1n.

12 b. Notwithstanding any specific continuing education or similar requirement  
13 in chs. 440 to 480, adjust or prorate the requirement to align it with the length of a  
14 renewal cycle established under subd. 1n.

15 **SECTION 776.** 440.08 (2) (a) 25m. of the statutes is created to read:

16 440.08 (2) (a) 25m. Dental therapist: October 1 of each odd-numbered year.

17 **SECTION 777.** 440.08 (2) (a) 37m. of the statutes, as created by 2021 Wisconsin  
18 Act 251, is repealed.

19 **SECTION 778.** 440.08 (2) (a) 38. to 72. of the statutes are repealed.

20 **SECTION 779.** 440.08 (2) (ar) of the statutes is created to read:

21 440.08 (2) (ar) 1. Notwithstanding par. (a) and chs. 440 to 480, the department  
22 may, in cooperation with credentialing boards, establish a system or process to  
23 transition credential holders from 2-year renewal cycles under chs. 440 to 480, 2021  
24 stats., to renewal cycles established by the department under par. (a) 1n.



1           2. Notwithstanding the fees for credential renewals determined under s.  
2           440.03 (9), if the department under subd. 1. transitions credential holders from  
3           2-year renewal cycles under chs. 440 to 480, 2021 stats., to different renewal cycles  
4           under par. (a) 1n. before revised renewal fees can be determined under s. 440.03 (9),  
5           the department may adjust the applicable renewal fee accordingly, in cooperation  
6           with credentialing boards, until a revised fee can be determined under s. 440.03 (9).

7           **SECTION 780.** 440.08 (2) (b) of the statutes is amended to read:

8           440.08 (2) (b) ~~The renewal fee for an apprentice, journeyman, student or~~  
9           ~~temporary credential is \$10. The renewal dates specified in par. (a) determined~~  
10           under par. (a) do not apply to apprentice, journeyman, student or temporary  
11           credentials.

12           **SECTION 781.** 440.08 (2) (c) of the statutes is renumbered 440.08 (2m) (a) and  
13           amended to read:

14           440.08 (2m) (a) Except as provided in par. (e) (d) and sub. (3), renewal  
15           applications shall include the applicable renewal fee as determined by the  
16           department under s. 440.03 (9) (a) or as specified in par. (b).

17           **SECTION 782.** 440.08 (2) (d) of the statutes is renumbered 440.08 (2m) (c).

18           **SECTION 783.** 440.08 (2) (e) of the statutes is renumbered 440.08 (2m) (d).

19           **SECTION 784.** 440.08 (2m) (title) of the statutes is created to read:

20           440.08 (2m) (title) RENEWAL FEES AND APPLICATIONS.

21           **SECTION 785.** 440.08 (2m) (b) of the statutes is created to read:

22           440.08 (2m) (b) The renewal fee for an apprentice, journeyman, student, or  
23           temporary credential is \$10.

24           **SECTION 786.** 440.08 (4) (a) of the statutes is amended to read:

1           440.08 (4) (a) *Generally*. If the department or the interested examining board  
2 or affiliated credentialing board, as appropriate, determines that an applicant for  
3 renewal has failed to comply with sub. ~~(2) (e)~~ (2m) (a) or (3) or with any other  
4 applicable requirement for renewal established under chs. 440 to 480 or that the  
5 denial of an application for renewal of a credential is necessary to protect the public  
6 health, safety or welfare, the department, examining board or affiliated  
7 credentialing board may summarily deny the application for renewal by mailing to  
8 the holder of the credential a notice of denial that includes a statement of the facts  
9 or conduct that warrant the denial and a notice that the holder may, within 30 days  
10 after the date on which the notice of denial is mailed, file a written request with the  
11 department to have the denial reviewed at a hearing before the department, if the  
12 department issued the credential, or before the examining board or affiliated  
13 credentialing board that issued the credential.

14           **SECTION 787.** 440.09 (3) (a) of the statutes is amended to read:

15           440.09 (3) (a) A reciprocal credential granted under this section expires on the  
16 applicable renewal date ~~specified in~~ determined by the department under s. 440.08  
17 (2) (a), except that if the first renewal date ~~specified in s. 440.08 (2) (a)~~ after the date  
18 on which the credential is granted is within 180 days of the date on which the  
19 credential is granted, the credential expires on the 2nd renewal date ~~specified in s.~~  
20 ~~440.08 (2) (a)~~ after the date on which the credential is granted.

21           **SECTION 788.** 440.094 (1) (c) 1. of the statutes is amended to read:

22           440.094 (1) (c) 1. A registered nurse, licensed practical nurse, or ~~nurse midwife~~  
23 ~~licensed under ch. 441, or an advanced practice~~ registered nurse prescriber certified  
24 licensed under ch. 441.

25           **SECTION 789.** 440.094 (1) (c) 3. of the statutes is amended to read:

1           440.094 (1) (c) 3. A dentist or dental therapist licensed under ch. 447.

2           **SECTION 790.** 440.094 (2) (a) (intro.) of the statutes is amended to read:

3           440.094 (2) (a) (intro.) Notwithstanding ss. 441.06 (4), ~~441.15 (2), 441.16,~~  
4           ~~441.09 (3) (b),~~ 446.02 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51  
5           (1), 448.61, 448.76, 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m),  
6           457.04 (4), (5), (6), and (7), 459.02 (1), 459.24 (1), and 460.02, a health care provider  
7           may provide services within the scope of the credential that the health care provider  
8           holds and the department shall grant the health care provider a temporary  
9           credential to practice under this section if all of the following apply:

10          **SECTION 791.** 440.26 (3) of the statutes is amended to read:

11          440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an  
12          application executed under sub. (2), and after any investigation that it considers  
13          necessary, the department shall, if it determines that the applicant is qualified, grant  
14          the proper license upon payment of the initial credential fee determined by the  
15          department under s. 440.03 (9) (a). ~~No license shall be issued for a longer period than~~  
16          ~~2 years, and the~~ The license of a private detective shall expire on the renewal date  
17          of the license of the private detective agency, even if the license of the private  
18          detective has not been in effect for a full ~~2 years~~ licensure period. Renewals of the  
19          original licenses issued under this section shall be issued in accordance with renewal  
20          forms prescribed by the department and shall be accompanied by the applicable fees  
21          specified in s. 440.08 or determined by the department under s. 440.03 (9) (a). The  
22          department may not renew a license unless the applicant provides evidence that the  
23          applicant has in force at the time of renewal the bond or liability policy specified in  
24          this section.

25          **SECTION 792.** 440.26 (5m) (b) of the statutes is amended to read:

1           440.26 **(5m)** (b) The renewal dates for permits issued under this subsection ~~are~~  
2 ~~specified shall be as determined by the department~~ under s. 440.08 (2) ~~(a)~~. Renewal  
3 applications shall be submitted to the department on a form provided by the  
4 department and shall include the renewal fee determined by the department under  
5 s. 440.03 (9) (a).

6           **SECTION 793.** 440.313 (1) of the statutes is amended to read:

7           440.313 **(1)** The renewal date for licenses granted under this subchapter is  
8 ~~specified in shall be as determined by the department under~~ s. 440.08 (2) ~~(a)~~.  
9 Renewal applications shall be submitted to the department on a form provided by the  
10 department and shall include the renewal fee determined by the department under  
11 s. 440.03 (9) (a).

12           **SECTION 794.** 440.415 (2) (a) of the statutes is amended to read:

13           440.415 **(2)** (a) The renewal date for a license granted under sub. (1) ~~is specified~~  
14 ~~in shall be as determined by the department under~~ s. 440.08 (2) ~~(a)~~ ~~69m~~. A renewal  
15 application shall be submitted to the department on a form prescribed by the  
16 department and shall include any information required by the department by rule.

17           **SECTION 795.** 440.71 (3) of the statutes is amended to read:

18           440.71 **(3)** RENEWAL. Renewal applications shall be submitted to the  
19 department on a form provided by the department on or before the applicable  
20 renewal date ~~specified~~ determined by the department under s. 440.08 (2) ~~(a)~~ and  
21 shall include the applicable renewal fee determined by the department under s.  
22 440.03 (9) (a).

23           **SECTION 796.** 440.88 (4) of the statutes is amended to read:

24           440.88 **(4)** APPLICATIONS; CERTIFICATION PERIOD. An application for certification  
25 as a substance abuse counselor, clinical supervisor, or prevention specialist under

1 this section shall be made on a form provided by the department and filed with the  
2 department and shall be accompanied by the initial credential fee determined by the  
3 department under s. 440.03 (9) (a). The renewal date for certification as a substance  
4 abuse counselor, clinical supervisor, or prevention specialist ~~is specified~~ shall be as  
5 determined by the department under s. 440.08 (2) (a), and the renewal fee for such  
6 certifications is determined by the department under s. 440.03 (9) (a). ~~Renewal of~~  
7 The department shall by rule prescribe the number of times that a certification as  
8 a substance abuse counselor-in-training, a clinical supervisor-in-training, or a  
9 prevention specialist-in-training may be made only twice renewed.

10 **SECTION 797.** 440.905 (2) of the statutes is amended to read:

11 440.905 (2) The board has rule-making authority and may promulgate rules  
12 relating to the regulation of cemetery authorities, cemetery salespersons, and  
13 cemetery preneed sellers. ~~The board may determine, by rule, a fee under s. 440.05~~  
14 ~~(1) (a) and under s. 440.08 (2) (a) 21. that is sufficient to fund the board's operating~~  
15 ~~costs.~~

16 **SECTION 798.** 440.91 (1) (c) of the statutes is amended to read:

17 440.91 (1) (c) The renewal dates for licenses granted under par. (b) ~~are specified~~  
18 ~~in~~ shall be as determined by the department under s. 440.08 (2) (a), and the renewal  
19 fees for such licenses are determined by the department under s. 440.03 (9) (a).

20 **SECTION 799.** 440.91 (1m) (c) of the statutes is amended to read:

21 440.91 (1m) (c) The renewal date ~~and renewal fee~~ for a registration granted  
22 under par. (b) ~~are specified in~~ shall be as determined by the department under s.  
23 440.08 (2). The department shall determine the renewal fee for a registration  
24 granted under par. (b) under s. 440.03 (9) (a).

25 **SECTION 800.** 440.91 (4) of the statutes is amended to read:

1           440.91 (4) Renewal applications shall be submitted to the board on a form  
2 provided by the board on or before the applicable renewal date ~~specified~~ determined  
3 by the department under s. 440.08 (2) (a) and shall include the applicable renewal  
4 fee determined by the department under s. 440.03 (9) (a).

5           **SECTION 801.** 440.92 (1) (c) of the statutes is amended to read:

6           440.92 (1) (c) Renewal applications shall be submitted to the board on a form  
7 provided by the board on or before the applicable renewal date ~~specified~~ determined  
8 by the department under s. 440.08 (2) (a) and shall include the applicable renewal  
9 fee determined by the department under s. 440.03 (9) (a).

10          **SECTION 802.** 440.972 (2) of the statutes is amended to read:

11          440.972 (2) The renewal date for certificates granted under this section is  
12 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a) ~~38g.~~, and  
13 the renewal fee for such certificates is determined by the department under s. 440.03  
14 (9) (a).

15          **SECTION 803.** 440.974 (2) of the statutes is amended to read:

16          440.974 (2) The department shall promulgate rules establishing continuing  
17 education requirements for individuals registered under this subchapter. The rules  
18 promulgated under this subsection shall require the completion of at least 40 hours  
19 of continuing education every ~~2 years, except that the rules may not require~~  
20 ~~continuing education for an applicant for renewal of a registration that expires on~~  
21 ~~the 1st and 2nd renewal dates after the date on which the department initially~~  
22 ~~granted the registration~~ 2-year period, except that the department shall, for  
23 up to a 2-year period, exempt new registrants from the requirement under this  
24 subsection.

25          **SECTION 804.** 440.98 (6) of the statutes is amended to read:

1           440.98 (6) APPLICATIONS. An application for a sanitarian registration under this  
2 section shall be made on a form provided by the department and filed with the  
3 department and shall be accompanied by the initial credential fee determined by the  
4 department under s. 440.03 (9) (a). The renewal date for a sanitarian registration  
5 ~~is specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the  
6 renewal fee for such registration is determined by the department under s. 440.03  
7 (9) (a).

8           **SECTION 805.** 440.981 (1) of the statutes is amended to read:

9           440.981 (1) No person may use the title “licensed midwife,” describe or imply  
10 that he or she is a licensed midwife, or represent himself or herself as a licensed  
11 midwife unless the person is granted a license under this subchapter or is licensed  
12 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and  
13 possesses a certified nurse-midwife specialty designation under s. 441.09.

14           **SECTION 806.** 440.982 (1) of the statutes is amended to read:

15           440.982 (1) No person may engage in the practice of midwifery unless the  
16 person is granted a license under this subchapter, is granted a temporary permit  
17 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a~~  
18 ~~nurse-midwife under s. 441.15~~ an advanced practice registered nurse and possesses  
19 a certified nurse-midwife specialty designation under s. 441.09.

20           **SECTION 807.** 440.983 (1) of the statutes is amended to read:

21           440.983 (1) The renewal date for licenses granted under this subchapter is  
22 ~~specified in~~ shall be as determined by the department under s. 440.08 (2) (a).  
23 Renewal applications shall be submitted to the department on a form provided by the  
24 department and shall include the renewal fee determined by the department under  
25 s. 440.03 (9) (a).

1           **SECTION 808.** 440.987 (2) of the statutes is amended to read:

2           440.987 (2) One member who is licensed as ~~a nurse-midwife under s. 441.15~~  
3           an advanced practice registered nurse and possesses a certified nurse-midwife  
4           specialty designation under s. 441.09 and who practices in an out-of-hospital  
5           setting.

6           **SECTION 809.** 440.992 (6) of the statutes is repealed.

7           **SECTION 810.** 440.9935 of the statutes is amended to read:

8           **440.9935 Renewal.** The renewal date for certificates of registration issued  
9           under this subchapter ~~is specified in~~ shall be as determined by the department under  
10          s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the  
11          department under s. 440.03 (9) (a). Renewal applications shall be submitted to the  
12          department on a form provided by the department.

13          **SECTION 811.** 441.001 (1c) of the statutes is created to read:

14          441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING. “Advanced practice  
15          registered nursing” means the practice of a certified nurse-midwife, the practice of  
16          a certified registered nurse anesthetist, the practice of a clinical nurse specialist, and  
17          the practice of a nurse practitioner.

18          **SECTION 812.** 441.001 (3c) of the statutes is created to read:

19          441.001 (3c) PRACTICE OF A CERTIFIED NURSE-MIDWIFE. “Practice of a certified  
20          nurse-midwife” means practice in the management of women’s health care,  
21          pregnancy, childbirth, postpartum care for newborns, family planning, and  
22          gynecological services consistent with the standards of practice of the American  
23          College of Nurse-Midwives or its successor.

24          **SECTION 813.** 441.001 (3g) of the statutes is created to read:



1           441.001 **(3g)** PRACTICE OF A CERTIFIED REGISTERED NURSE ANESTHETIST. “Practice  
2 of a certified registered nurse anesthetist” means providing anesthesia care, pain  
3 management care, and care related to anesthesia and pain management for persons  
4 across their lifespan, whose health status may range from healthy through all levels  
5 of acuity, including persons with immediate, severe, or life-threatening illness or  
6 injury, in diverse settings, including hospitals, ambulatory surgery centers,  
7 outpatient clinics, medical offices, and home health care settings.

8           **SECTION 814.** 441.001 (3n) of the statutes is created to read:

9           441.001 **(3n)** PRACTICE OF A CLINICAL NURSE SPECIALIST. “Practice of a clinical  
10 nurse specialist” means providing advanced nursing care, primarily in health care  
11 facilities, including the diagnosis and treatment of illness for identified specific  
12 populations based on a specialty.

13           **SECTION 815.** 441.001 (3r) of the statutes is created to read:

14           441.001 **(3r)** PRACTICE OF A NURSE PRACTITIONER. “Practice of a nurse  
15 practitioner” means practice in ambulatory, acute, long-term, or other health care  
16 settings as a primary or specialty care provider who provides health services,  
17 including assessing, diagnosing, treating, or managing acute, episodic, and chronic  
18 illnesses.

19           **SECTION 816.** 441.001 (3w) of the statutes is created to read:

20           441.001 **(3w)** PRESCRIPTION ORDER. “Prescription order” has the meaning given  
21 in s. 450.01 (21).

22           **SECTION 817.** 441.001 (5) of the statutes is created to read:

23           441.001 **(5)** RECOGNIZED ROLE. “Recognized role” means one of the following  
24 roles:

25           (a) Certified nurse-midwife.

1 (b) Certified registered nurse anesthetist.

2 (c) Clinical nurse specialist.

3 (d) Nurse practitioner.

4 **SECTION 818.** 441.01 (3) of the statutes is amended to read:

5 441.01 (3) The board may promulgate rules to establish minimum standards  
6 for schools for professional nurses ~~and~~, schools for licensed practical nurses, and  
7 schools for advanced practice registered nurses, including all related clinical units  
8 and facilities, and make and provide periodic surveys and consultations to such  
9 schools. ~~It~~ The board may also establish promulgate rules to prevent unauthorized  
10 persons from practicing professional nursing. ~~It shall approve all rules for the~~  
11 ~~administration of this chapter in accordance with ch. 227.~~

12 **SECTION 819.** 441.01 (4) of the statutes is amended to read:

13 441.01 (4) The board shall direct that those schools that qualify be placed on  
14 a list of schools the board has approved for professional nurses ~~or~~, of schools the board  
15 has approved for licensed practical nurses, or of schools the board has approved for  
16 advanced practice registered nurses on application and proof of qualifications, ~~and~~  
17 the board shall make a study of nursing education and ~~initiate~~ promulgate rules and  
18 policies to improve it.

19 **SECTION 149e.** 441.01 (7) (a) (intro.) and 1. of the statutes are amended to read:

20 441.01 (7) (a) (intro.) ~~The board shall require each applicant for the renewal~~  
21 Biennially, each holder of a registered nurse or licensed practical nurse license issued  
22 under this chapter ~~to~~ shall do all of the following as a condition for renewing the  
23 license:

1           1. Complete and submit to the department ~~with the application for renewal of~~  
2     ~~the license~~ a nursing workforce survey developed by the department of workforce  
3     development under s. 106.30 (2).

4           **SECTION 149f.** 441.01 (7) (a) (intro.) of the statutes, as affected by 2023  
5     Wisconsin Act .... (this act), is amended to read:

6           441.01 (7) (a) (intro.) Biennially, each holder of a registered nurse ~~or~~, licensed  
7     practical nurse, or licensed advanced practice registered nurse license issued under  
8     this chapter shall do all of the following:

9           **SECTION 820.** 441.01 (7) (b) of the statutes is amended to read:

10          441.01 (7) (b) ~~The board may not renew a registered nurse or licensed practical~~  
11     ~~nurse license under this chapter unless the renewal applicant has completed the~~  
12     ~~nursing workforce survey to the satisfaction of the board.~~ The board shall establish  
13     standards to determine whether the nursing workforce survey has been completed.  
14     The board shall, by no later than June 30 of each odd-numbered year, submit all  
15     completed nursing workforce survey forms to the department of workforce  
16     development.

17          **SECTION 821.** 441.01 (7) (c) of the statutes is created to read:

18          441.01 (7) (c) An applicant who is renewing both a registered nurse and  
19     advanced practice registered nurse license under s. 441.09 (1) (c) is only required to  
20     pay a single fee under par. (a) 2.

21          **SECTION 822.** 441.06 (title) of the statutes is repealed and recreated to read:

22          **441.06 (title) Registered nurses; civil liability exemption.**

23          **SECTION 152e.** 441.06 (3) of the statutes is amended to read:

24          441.06 (3) A registered nurse practicing for compensation shall, on or before  
25     the applicable renewal date ~~specified~~ determined by the department under s. 440.08

1 (2) (a), submit to the board on furnished forms a statement giving name, residence,  
2 and other facts that the board requires, with the nursing workforce survey and fee  
3 required under s. 441.01 (7) and the applicable renewal fee determined by the  
4 department under s. 440.03 (9) (a).

5 **SECTION 152f.** 441.06 (3) of the statutes, as affected by 2023 Wisconsin Act ...  
6 (this act), is amended to read:

7 441.06 (3) ~~A~~ Except as provided in s. 441.09 (1) (c), a registered nurse  
8 practicing for compensation shall, on or before the applicable renewal date  
9 determined by the department under s. 440.08 (2), submit to the board on furnished  
10 forms a statement giving name, residence, and other facts that the board requires,  
11 with the applicable renewal fee determined by the department under s. 440.03 (9)  
12 (a).

13 **SECTION 823.** 441.06 (4) of the statutes is amended to read:

14 441.06 (4) Except as provided in ss. 257.03 and 440.077, no person may practice  
15 or attempt to practice professional nursing, nor use the title, letters, or anything else  
16 to indicate that he or she is a registered or professional nurse unless he or she is  
17 licensed under this section. Except as provided in ss. 257.03 and 440.077, no person  
18 not so licensed may use in connection with his or her nursing employment or vocation  
19 any title or anything else to indicate that he or she is a trained, certified or graduate  
20 nurse. This subsection does not apply to any registered nurse who holds a multistate  
21 license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than this state,  
22 that has adopted the nurse licensure compact ~~under s. 441.51.~~

23 **SECTION 824.** 441.06 (7) of the statutes is renumbered 441.09 (7) and amended  
24 to read:

1           441.09 (7) CIVIL LIABILITY. No person ~~certified~~ licensed as an advanced practice  
2 registered nurse prescriber under s. 441.16 (2) this section is liable for civil damages  
3 for any of the following:

4           (a) Reporting in good faith to the department of transportation under s. 146.82  
5 (3) a patient's name and other information relevant to a physical or mental condition  
6 of the patient that in the advanced practice nurse-prescriber's registered nurse's  
7 judgment impairs the patient's ability to exercise reasonable and ordinary control  
8 over a motor vehicle.

9           (b) In good faith, not reporting to the department of transportation under s.  
10 146.82 (3) a patient's name and other information relevant to a physical or mental  
11 condition of the patient that in the advanced practice nurse-prescriber's registered  
12 nurse's judgment does not impair the patient's ability to exercise reasonable and  
13 ordinary control over a motor vehicle.

14           **SECTION 825.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended  
15 to read:

16           441.07 (**1g**) (intro.) Subject to the rules promulgated under s. 440.03 (1), the  
17 board may deny an initial license or revoke, limit, suspend, or deny the renewal of  
18 a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,  
19 or licensed practical nurse; ~~deny an initial certificate or revoke, limit, suspend, or~~  
20 ~~deny the renewal of a certificate to prescribe drugs or devices granted under s.~~  
21 441.16; or reprimand a registered nurse, ~~nurse-midwife~~ advanced practice  
22 registered nurse, or licensed practical nurse, if the board finds that the applicant or  
23 licensee committed any of the following:

24           (a) Fraud in the procuring or renewal of the ~~certificate~~ or license.

1 (c) Acts ~~which~~ that show the registered nurse, ~~nurse-midwife~~ advanced  
2 practice registered nurse, or licensed practical nurse to be unfit or incompetent by  
3 reason of negligence, abuse of alcohol or other drugs, or mental incompetency.

4 (e) A violation of any state or federal law that regulates prescribing or  
5 dispensing drugs or devices, if the person ~~has a certificate to prescribe drugs or~~  
6 ~~devices under s. 441.16~~ may issue prescription orders under s. 441.09 (2).

7 **SECTION 826.** 441.09 of the statutes is created to read:

8 **441.09 Advanced practice registered nurses; civil liability exemption.**

9 **(1) LICENSE.** (a) An applicant who satisfies all of the following requirements may  
10 apply to the board for initial licensure by the board as an advanced practice  
11 registered nurse:

12 1. The applicant satisfies one of the following criteria:

13 a. The applicant holds a valid license to practice as a registered nurse issued  
14 under s. 441.06 (1), (1c), or (1m).

15 b. The applicant applies concurrently for a license under s. 441.06 (1), (1c), or  
16 (1m) with the application for a license under this paragraph.

17 c. The applicant is a registered nurse who holds a multistate license, as defined  
18 in s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted  
19 the nurse licensure compact.

20 2. The applicant provides evidence satisfactory to the board that he or she  
21 satisfies one of the following criteria:

22 a. The applicant has completed a graduate-level or postgraduate-level  
23 education program that is approved by the board and that prepares the applicant for  
24 the practice of advanced practice registered nursing in one of the 4 recognized roles,

1 and the applicant holds a current certification by a national certifying body approved  
2 by the board.

3 b. On January 1, 2023, the applicant was licensed as a registered nurse in this  
4 state and was practicing in a recognized role, and the applicant satisfies additional  
5 criteria established by the board by rule under sub. (6) (a) 3. relating to practice,  
6 education, or certification.

7 3. The applicant pays the fee specified under s. 440.05 (1).

8 4. The applicant provides to the board evidence of any malpractice liability  
9 insurance coverage required under sub. (5).

10 5. If the applicant is applying to receive a certified nurse-midwife specialty  
11 designation under par. (b) 1., the applicant does all of the following:

12 a. Provides evidence satisfactory to the board that the applicant is currently  
13 certified by the American Midwifery Certification Board or its successor.

14 b. Files with the board any plan required under sub. (3m) (i).

15 6. The applicant does not have an arrest or conviction record, subject to ss.  
16 111.321, 111.322, and 111.335.

17 7. The applicant meets any other criteria established by the board by rule under  
18 sub. (6) (a) 3. relating to the education, training, or experience required for each  
19 recognized role.

20 (b) 1. a. Subject to s. 441.07 (1g), the board shall grant an advanced practice  
21 registered nurse license to an applicant the board determines meets the  
22 requirements under par. (a). The board shall also grant a person who is granted a  
23 license under this subd. 1. a. one or more specialty designations corresponding to the  
24 recognized roles for which the board determines that the person qualifies based on  
25 the person's qualifications under par. (a).

1           b. The board shall grant an advanced practice registered nurse license to each  
2 individual who, on the day before the effective date of this subd. 1. b. .... [LRB inserts  
3 date], was certified to issue prescription orders under s. 441.16, 2021 stats. The  
4 board shall also grant a person who is granted a license under this subd. 1. b. one or  
5 more specialty designations corresponding to the recognized roles for which the  
6 board determines that the person qualifies based on the person's qualifications.

7           c. The board shall grant an advanced practice registered nurse license to each  
8 individual who, on the day before the effective date of this subd. 1. c. .... [LRB inserts  
9 date], was licensed as a nurse-midwife under s. 441.15, 2021 stats. The board shall  
10 also grant a person who is granted a license under this subd. 1. c. a nurse-midwife  
11 specialty designation.

12           2. Each specialty designation granted under subd. 1. shall appear on the  
13 person's advanced practice registered nurse license.

14           3. The board may not grant an advanced practice registered nurse license to  
15 a person applying concurrently for a license under s. 441.06 (1), (1c), or (1m), unless  
16 the board also grants the person the license under s. 441.06 (1), (1c), or (1m).

17           4. The board may place specific limitations on a person licensed as an advanced  
18 practice registered nurse as a condition of licensure.

19           5. If all of the following apply to a person, a notation indicating that the person  
20 may not issue prescription orders shall appear on the person's advanced practice  
21 registered nurse license:

22           a. The person is granted an advanced practice registered nurse license under  
23 subd. 1. a. and satisfies only par. (a) 2. b. but not par. (a) 2. a., or the person is granted  
24 an advanced practice registered nurse license under subd. 1. c.



1           b. On January 1, 2023, the person did not hold a certificate under s. 441.16 (2),  
2           2021 stats.

3           (c) On or before the applicable renewal date determined by the department  
4           under s. 440.08 (2), an advanced practice registered nurse shall submit to the board  
5           on a form furnished by the board a statement giving his or her name and residence,  
6           the nursing workforce survey and fee required under s. 441.01 (7), evidence of having  
7           satisfied the continuing education requirements under sub. (4), evidence of any  
8           malpractice liability insurance coverage required under sub. (5), any plan required  
9           under sub. (3m) (i), current evidence that the person satisfies each of the  
10          requirements under par. (a) 1., 2., 5. a., and 7. that apply with respect to the person,  
11          and any other information that the board requires by rule, with the applicable  
12          renewal fee determined by the department under s. 440.03 (9) (a). The board shall  
13          grant to a person who satisfies the requirements under this paragraph the renewal  
14          of his or her advanced practice registered nurse license and specialty designations  
15          granted under par. (b) 1. and shall, if the person holds a license under s. 441.06 (1),  
16          (1c), or (1m), also grant the renewal of that license.

17          **(2) PRESCRIBING AUTHORITY.** (a) Except as provided in par. (b), an advanced  
18          practice registered nurse may issue prescription orders, subject to the rules  
19          promulgated under sub. (6) (a) 1. and 4., and may provide expedited partner therapy  
20          in the manner described in s. 441.092.

21          (b) An advanced practice registered nurse may not issue prescription orders if  
22          a notation under sub. (1) (b) 4. indicating that the advanced practice registered nurse  
23          may not issue prescription orders appears on the advanced practice registered  
24          nurse's license.

1           **(3) LICENSE REQUIRED; USE OF TITLES.** (a) 1. The holder of a license issued under  
2 this section is an “advanced practice registered nurse,” may append to his or her  
3 name the title “A.P.R.N.,” and is authorized to practice advanced practice registered  
4 nursing.

5           2. Notwithstanding s. 448.03 (3m), the holder of a specialty designation for a  
6 recognized role granted under sub. (1) (b) 1. may append to his or her name the title  
7 and an abbreviation described under par. (b) 2. corresponding to that recognized role.

8           (b) 1. Except as provided in sub. (3m) (h) and s. 257.03, no person may practice  
9 or attempt to practice advanced practice registered nursing, nor use the title  
10 “advanced practice registered nurse,” the title “A.P.R.N.,” or anything else to indicate  
11 that he or she is an advanced practice registered nurse unless he or she is licensed  
12 under this section.

13           2. Except as provided in s. 257.03, no person may do any of the following:

14           a. Use the title “certified nurse–midwife,” the title “C.N.M.,” or anything else  
15 to indicate that he or she is a certified nurse–midwife unless he or she has been  
16 granted a certified nurse–midwife specialty designation under sub. (1) (b) 1.

17           b. Use the title “certified registered nurse anesthetist,” the title “C.R.N.A.,” or  
18 anything else to indicate that he or she is a certified registered nurse anesthetist  
19 unless he or she has been granted a certified registered nurse anesthetist specialty  
20 designation under sub. (1) (b) 1.

21           c. Use the title “clinical nurse specialist,” the title “C.N.S.,” or anything else to  
22 indicate that he or she is a clinical nurse specialist unless he or she has been granted  
23 a clinical nurse specialist specialty designation under sub. (1) (b) 1.

1           d. Use the title “nurse practitioner,” the title “N.P.,” or anything else to indicate  
2 that he or she is a nurse practitioner unless he or she has been granted a nurse  
3 practitioner specialty designation under sub. (1) (b) 1.

4           **(3m)** PRACTICE REQUIREMENTS AND LIMITATIONS. (a) 1. An advanced practice  
5 registered nurse licensed under this section may, except as provided in subd. 2. and  
6 par. (b), practice advanced practice registered nursing only in collaboration with a  
7 physician or dentist.

8           2. Subdivision 1. does not apply to an advanced practice registered nurse with  
9 a certified nurse-midwife specialty designation.

10          (b) An advanced practice registered nurse to whom par. (a) 1. applies may,  
11 except as provided in pars. (d) 1. and (f), practice advanced practice registered  
12 nursing in a recognized role without being supervised by or collaborating with, and  
13 independent of, a physician or dentist if the board verifies, upon application of the  
14 advanced practice registered nurse, that the advanced practice registered nurse  
15 satisfies all of the following:

16           1. The advanced practice registered nurse has, except as provided in subd. 3.,  
17 completed 3,840 hours of professional nursing in a clinical setting. Clinical hours  
18 completed as a requirement of a nursing program offered by a qualifying school of  
19 nursing described under s. 441.06 (1) (c) may be used to satisfy the requirement  
20 under this subdivision. Hours completed to satisfy a requirement of an education  
21 program described in sub. (1) (a) 2. a. may not be used to satisfy the requirement  
22 under this subdivision.

23           2. At least 24 months have elapsed since the advanced practice registered nurse  
24 first began completing the clinical hours required by a nursing program described  
25 under subd. 1.

1           3. The advanced practice registered nurse has completed 3,840 clinical hours  
2 of advanced practice registered nursing practice in that recognized role while  
3 working with a physician or dentist who was immediately available for consultation  
4 and accepted responsibility for the actions of the advanced practice registered nurse  
5 during those 3,840 hours of practice. The advanced practice registered nurse may  
6 substitute additional hours of advanced practice registered nursing working with a  
7 physician or dentist described in this subdivision to count toward the requirement  
8 under subd. 1. Each such additional hour shall count toward one hour of the  
9 requirement under subd. 1.

10           4. At least 24 months have elapsed since the advanced practice registered nurse  
11 first began practicing advanced practice registered nursing in that recognized role  
12 as described in subd. 3.

13           (c) For purposes of par. (b) 3., hours of advanced practice registered nursing  
14 practice may include the lawful practice of advanced practice registered nursing  
15 outside this state or the lawful practice of advanced practice registered nursing in  
16 this state prior to the effective date of this paragraph .... [LRB inserts date].

17           (d) 1. An advanced practice registered nurse may provide pain management  
18 services only while working in a collaborative relationship with a physician who,  
19 through education, training, and experience, specializes in pain management.  
20 Except as provided in subd. 2., this subdivision applies regardless of whether the  
21 advanced practice registered nurse has qualified for independent practice under par.  
22 (b).

23           2. Except as provided in par. (f), subd. 1. does not apply to an advanced practice  
24 registered nurse who is providing pain management services in a hospital, as defined

1 in s. 50.33 (2), or a clinic associated with a hospital, and who has qualified for  
2 independent practice under par. (b).

3 (e) For purposes of pars. (a) 1. and (d) 1., a collaborative relationship is a process  
4 in which an advanced practice registered nurse is working with a physician or  
5 dentist, in each other's presence when necessary, to deliver health care services  
6 within the scope of the advanced practice registered nurse's training, education, and  
7 experience. The advanced practice registered nurse shall document such a  
8 collaborative relationship.

9 (f) Nothing in this section prohibits an entity employing or with a relationship  
10 with an advanced practice registered nurse from establishing additional  
11 requirements for an advanced practice registered nurse as a condition of  
12 employment or relationship.

13 (g) An advanced practice registered nurse shall adhere to professional  
14 standards when managing situations that are beyond the advanced practice  
15 registered nurse's expertise. If a particular patient's needs are beyond the advanced  
16 practice registered nurse's expertise, the advanced practice registered nurse shall,  
17 as warranted by the patient's needs, consult or collaborate with or refer the patient  
18 to at least one of the following:

19 1. A physician licensed under ch. 448.

20 2. Another health care provider for whom the advanced practice registered  
21 nurse has reasonable evidence of having a scope of practice that includes the  
22 authorization to address the patient's needs.

23 (h) An advanced practice registered nurse licensed under this section may  
24 delegate a task or order to another clinically trained health care worker if the task  
25 or order is within the scope of the advanced practice registered nurse's practice, the

1 advanced practice registered nurse is competent to perform the task or issue the  
2 order, and the advanced practice registered nurse has reasonable evidence that the  
3 health care worker is minimally competent to perform the task or issue the order  
4 under the circumstances.

5 (i) An advanced practice registered nurse with a certified nurse-midwife  
6 specialty designation may not offer to deliver babies outside of a hospital setting  
7 unless the advanced practice registered nurse files with the board, and the board  
8 approves, a proactive plan for ensuring appropriate care or care transitions  
9 conforming with professional standards for patients with higher acuity or emergency  
10 care needs that exceed the advanced practice registered nurse's scope of practice. An  
11 advanced practice registered nurse who offers to deliver babies outside of a hospital  
12 setting shall file a plan under this paragraph when applying for an initial license  
13 under this section or a renewal of a license under this section, shall keep the plan  
14 current with the board, and shall follow the plan.

15 (4) CONTINUING EDUCATION. Every advanced practice registered nurse shall  
16 submit to the board evidence of having completed at least 16 contact hours per  
17 biennium in clinical pharmacology or therapeutics relevant to the advanced practice  
18 registered nurse's area of practice. The board may promulgate rules regarding the  
19 continuing education requirements under this subsection.

20 (5) MALPRACTICE LIABILITY INSURANCE. No person may practice advanced  
21 practice registered nursing unless he or she at all times has in effect malpractice  
22 liability insurance coverage in the minimum amounts specified under s. 655.23 (4).  
23 An advanced practice registered nurse shall submit evidence of that coverage to the  
24 board when applying for an initial license under this section or a renewal of a license

1 under this section. An advanced practice registered nurse shall also submit such  
2 evidence to the board upon request of the board.

3 **(6) RULES.** (a) The board shall promulgate rules necessary to administer this  
4 section, including rules for all of the following:

5 1. Further defining the scope of practice of an advanced practice registered  
6 nurse, practice of a certified nurse-midwife, practice of a certified registered nurse  
7 anesthetist, practice of a nurse practitioner, and practice of a clinical nurse specialist  
8 and defining the scope of practice within which an advanced practice registered  
9 nurse may issue prescription orders under sub. (2).

10 2. Determining acceptable national certification for purposes of sub. (1) (a) 2.  
11 a.

12 3. Establishing the appropriate education, training, or experience  
13 requirements that a registered nurse must satisfy in order to be an advanced practice  
14 registered nurse and to obtain each specialty designation corresponding to the  
15 recognized roles.

16 4. Specifying the classes of drugs, individual drugs, or devices that may not be  
17 prescribed by an advanced practice registered nurse under sub. (2).

18 5. Specifying the conditions to be met for registered nurses to do the following:

- 19 a. Administer a drug prescribed by an advanced practice registered nurse.  
20 b. Administer a drug at the direction of an advanced practice registered nurse.

21 7. Establishing standards of professional conduct for advanced practice  
22 registered nurses generally and for practicing in each recognized role.

23 (am) Notwithstanding par. (a), the board may promulgate rules to implement  
24 sub. (3m) (b).

1 (b) The board may not promulgate rules that expand the scope of practice of an  
2 advanced practice registered nurse beyond the practices within advanced practice  
3 registered nursing.

4 **SECTION 827.** 441.092 of the statutes is created to read:

5 **441.092 Expedited partner therapy. (1)** In this section:

6 (b) “Antimicrobial drug” has the meaning given in s. 448.035 (1) (b).

7 (c) “Expedited partner therapy” has the meaning given in s. 448.035 (1) (c).

8 **(2)** Notwithstanding the requirements of s. 448.9785, an advanced practice  
9 registered nurse who may issue prescription orders under s. 441.09 (2) may provide  
10 expedited partner therapy if a patient is diagnosed as infected with a chlamydial  
11 infection, gonorrhea, or trichomoniasis and the patient has had sexual contact with  
12 a sexual partner during which the chlamydial infection, gonorrhea, or  
13 trichomoniasis may have been transmitted to or from the sexual partner. The  
14 advanced practice registered nurse shall attempt to obtain the name of the patient’s  
15 sexual partner. A prescription order for an antimicrobial drug prepared under this  
16 subsection shall include the name and address of the patient’s sexual partner, if  
17 known. If the advanced practice registered nurse is unable to obtain the name of the  
18 patient’s sexual partner, the prescription order shall include, in ordinary, bold-faced  
19 capital letters, the words, “expedited partner therapy” or the letters “EPT.”

20 **(3)** The advanced practice registered nurse shall provide the patient with a  
21 copy of the information sheet prepared by the department of health services under  
22 s. 46.03 (44) and shall request that the patient give the information sheet to the  
23 person with whom the patient had sexual contact.

24 **(4)** (a) Except as provided in par. (b), an advanced practice registered nurse is  
25 immune from civil liability for injury to or the death of a person who takes any



1 antimicrobial drug if the antimicrobial drug is prescribed, dispensed, or furnished  
2 under this section and if expedited partner therapy is provided as specified under  
3 this section.

4 (b) The immunity under par. (a) does not extend to the donation, distribution,  
5 furnishing, or dispensing of an antimicrobial drug by an advanced practice  
6 registered nurse whose act or omission involves reckless, wanton, or intentional  
7 misconduct.

8 **SECTION 828.** 441.10 (6) of the statutes is amended to read:

9 441.10 (6) On or before the applicable renewal date ~~specified~~ determined by the  
10 department under s. 440.08 (2) (a), a licensed practical nurse practicing for  
11 compensation shall submit to the board, on forms furnished by the department, an  
12 application for license renewal, together with a statement giving name, residence,  
13 nature and extent of practice as a licensed practical nurse during the prior year and  
14 prior unreported years, ~~the nursing workforce survey and fee required under s.~~  
15 ~~441.01 (7),~~ and other facts bearing upon current competency that the board requires,  
16 accompanied by the applicable license renewal fee determined by the department  
17 under s. 440.03 (9) (a).

18 **SECTION 829.** 441.10 (7) of the statutes is amended to read:

19 441.10 (7) No license is required for practical nursing, but, except as provided  
20 in s. 257.03, no person without a license may hold himself or herself out as a licensed  
21 practical nurse or licensed attendant, use the title or letters “Trained Practical  
22 Nurse” or “T.P.N.”, “Licensed Practical Nurse” or “L.P.N.”, “Licensed Attendant” or  
23 “L.A.”, “Trained Attendant” or “T.A.”, or otherwise seek to indicate that he or she is  
24 a licensed practical nurse or licensed attendant. No licensed practical nurse or  
25 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,

1 graduate or professional nurse. Anyone violating this subsection shall be subject to  
2 the penalties prescribed by s. 441.13. ~~The board shall grant without examination a~~  
3 ~~license as a licensed practical nurse to any person who was on July 1, 1949, a licensed~~  
4 ~~attendant.~~ This subsection does not apply to any licensed practical nurse who holds  
5 a multistate license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than  
6 this state, that has adopted the nurse licensure compact under s. 441.51.

7 **SECTION 830.** 441.11 (title) of the statutes is repealed.

8 **SECTION 831.** 441.11 (1) of the statutes is repealed.

9 **SECTION 832.** 441.11 (2) of the statutes is renumbered 441.09 (5m) and  
10 amended to read:

11 441.09 (5m) LICENSURE EXEMPTION. The provisions of s. 448.04 (1) (g) 448.03  
12 (1) (d) do not apply to ~~a~~ an advanced practice registered nurse licensed under this  
13 section who possesses a certified registered nurse anesthetist specialty designation  
14 under sub. (1) (b) 1. or to a person who engages in the practice of a nurse anesthetist  
15 while performing official duties for the armed services or federal health services of  
16 the United States.

17 **SECTION 833.** 441.11 (3) of the statutes is repealed.

18 **SECTION 834.** 441.15 of the statutes, as affected by 2023 Wisconsin Act ... (this  
19 act), is repealed.

20 **SECTION 164e.** 441.15 (3) (b) of the statutes is amended to read:

21 441.15 (3) (b) On or before the applicable renewal date specified determined  
22 by the department under s. 440.08 (2) (a), a person issued a license under par. (a) and  
23 practicing nurse-midwifery shall submit to the board on furnished forms a  
24 statement giving his or her name, residence, and other information that the board  
25 requires by rule, with the applicable renewal fee determined by the department

1 under s. 440.03 (9) (a). If applicable, the person shall also submit evidence  
2 satisfactory to the board that he or she has in effect the malpractice liability  
3 insurance required under the rules promulgated under sub. (5) (bm). The board shall  
4 grant to a person who pays the fee determined by the department under s. 440.03 (9)  
5 (a) for renewal of a license to practice nurse-midwifery and who satisfies the  
6 requirements of this paragraph the renewal of his or her license to practice  
7 nurse-midwifery and the renewal of his or her license to practice as a registered  
8 nurse.

9 **SECTION 835.** 441.16 of the statutes is repealed.

10 **SECTION 836.** 441.18 (2) (a) (intro.) of the statutes is amended to read:

11 441.18 (2) (a) (intro.) An advanced practice registered nurse ~~certified to~~ who  
12 may issue prescription orders under s. 441.16 441.09 (2) may do any of the following:

13 **SECTION 837.** 441.18 (2) (b) of the statutes is amended to read:

14 441.18 (2) (b) An advanced practice registered nurse who prescribes or delivers  
15 an opioid antagonist under par. (a) 1. shall ensure that the person to whom the opioid  
16 antagonist is prescribed has or has the capacity to provide the knowledge and  
17 training necessary to safely administer the opioid antagonist to an individual  
18 undergoing an opioid-related overdose and that the person demonstrates the  
19 capacity to ensure that any individual to whom the person further delivers the opioid  
20 antagonist has or receives that knowledge and training.

21 **SECTION 838.** 441.18 (3) of the statutes is amended to read:

22 441.18 (3) An advanced practice registered nurse who, acting in good faith,  
23 prescribes or delivers an opioid antagonist in accordance with sub. (2), or who, acting  
24 in good faith, otherwise lawfully prescribes or dispenses an opioid antagonist, shall  
25 be immune from criminal or civil liability and may not be subject to professional

1 discipline under s. 441.07 for any outcomes resulting from prescribing, delivering,  
2 or dispensing the opioid antagonist.

3 **SECTION 839.** 441.19 of the statutes is repealed.

4 **SECTION 840.** 442.083 (1) of the statutes is amended to read:

5 442.083 (1) The renewal dates for licenses issued under this chapter are  
6 ~~specified~~ shall be as determined by the department under s. 440.08 (2) ~~(a)~~, and the  
7 renewal fees for such licenses are determined by the department under s. 440.03 (9)  
8 (a). The department may not renew a license issued to a firm unless, at the time of  
9 renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates,  
10 to the satisfaction of the department, that the firm has complied with the  
11 requirements under s. 442.087.

12 **SECTION 841.** 442.083 (2) (a) of the statutes is amended to read:

13 442.083 (2) (a) The examining board shall promulgate rules establishing  
14 continuing education requirements for ~~renewal of licenses granted to individuals~~  
15 licensed under this chapter. The rules promulgated under this paragraph may not  
16 require an individual to complete more than 80 continuing education credits ~~during~~  
17 ~~the per 2-year period immediately preceding the renewal date specified under s.~~  
18 ~~440.08 (2) (a).~~

19 **SECTION 842.** 443.015 (1e) of the statutes is amended to read:

20 443.015 (1e) The rules promulgated under sub. (1) by the registered interior  
21 designer section of the examining board shall require a Wisconsin registered interior  
22 designer to complete at least 15 hours of continuing education ~~during the per 2-year~~  
23 ~~period immediately preceding the renewal date specified under s. 440.08 (2) (a).~~ At  
24 least 10 of the 15 hours shall be in subjects related to the practice of interior design  
25 that safeguard the public's health, safety, and welfare.

1           **SECTION 843.** 443.07 (6) of the statutes is amended to read:

2           443.07 (6) The renewal date for permits under this section is ~~specified~~ shall be  
3 as determined by the department under s. 440.08 (2) (a), and the fee for renewal of  
4 such permits is determined by the department under s. 440.03 (9) (a).

5           **SECTION 844.** 443.08 (3) (b) of the statutes is amended to read:

6           443.08 (3) (b) The renewal date for certificates of authorization under this  
7 section is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a),  
8 and the fee for renewal of such certificates is determined by the department under  
9 s. 440.03 (9) (a).

10          **SECTION 845.** 443.10 (2) (e) of the statutes is amended to read:

11          443.10 (2) (e) The renewal date dates for certificates of registration for  
12 architects, landscape architects, professional engineers, and Wisconsin registered  
13 interior designers is ~~specified~~ shall be as determined by the department under s.  
14 440.08 (2) (a), and the fee for renewal of such certificates is determined by the  
15 department under s. 440.03 (9) (a).

16          **SECTION 846.** 443.10 (5) of the statutes is amended to read:

17          443.10 (5) FEES; RENEWALS. The professional land surveyor section shall grant  
18 a license to engage in the practice of professional land surveying to any applicant who  
19 has met the applicable requirements of this chapter. The renewal date for the license  
20 is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the  
21 renewal fee for the license is determined by the department under s. 440.03 (9) (a).

22          **SECTION 847.** 445.06 (1) of the statutes is amended to read:

23          445.06 (1) The renewal date for a funeral director's license is ~~specified~~ shall be  
24 as determined by the department under s. 440.08 (2) (a), and the renewal fee for such  
25 license is determined by the department under s. 440.03 (9) (a).

1           **SECTION 848.** 445.07 (1) of the statutes is repealed.

2           **SECTION 849.** 445.07 (2) of the statutes is amended to read:

3           445.07 **(2)** (a) The examining board may waive the requirement under sub. ~~(1)~~  
4 ~~(a)~~ (3) (b) in cases where the examining board is satisfied that an applicant would be  
5 unable to satisfy the requirement prior to the ~~renewal date~~ by which the requirement  
6 must be satisfied.

7           (b) Subsection ~~(1)~~ ~~(a)~~ (3) (b) does not apply to an applicant who was granted a  
8 reciprocal license under s. 445.08.

9           **SECTION 850.** 445.07 (3) of the statutes is renumbered 445.07 (3) (a) and  
10 amended to read:

11           445.07 **(3)** (a) The examining board shall promulgate rules to ~~implement this~~  
12 ~~section~~ establish continuing education requirements for an applicant licensed under  
13 this chapter. The rules shall, except as required in par. (b) and sub. (2), require  
14 completion of 15 hours of continuing education per 2-year period.

15           **SECTION 851.** 445.07 (3) (b) of the statutes is created to read:

16           445.07 **(3)** (b) The examining board shall establish separate continuing  
17 education requirements for new licensees. The examining board shall specify  
18 permitted or required subjects for the continuing education under this paragraph,  
19 which shall be subjects that the examining board determines prepare a new licensee  
20 for practice as a funeral director.

21           **SECTION 852.** 445.095 (1) (c) of the statutes is amended to read:

22           445.095 **(1)** (c) A certificate of apprenticeship issued under this section shall  
23 be renewable annually upon the payment on January 1 of each year of the renewal  
24 fee specified in s. 440.08 ~~(2)~~ (2m) (b).

25           **SECTION 853.** 445.105 (3) of the statutes is amended to read:

1           445.105 (3) Applications for funeral establishment permits shall be made on  
2 forms provided by the department and filed with the department and shall be  
3 accompanied by the initial credential fee determined by the department under s.  
4 440.03 (9) (a). The renewal date for a funeral establishment permit is specified shall  
5 be as determined by the department under s. 440.08 (2) (a), and the renewal fee for  
6 such permit is determined by the department under s. 440.03 (9) (a).

7           **SECTION 854.** 446.02 (1) (b) of the statutes is amended to read:

8           446.02 (1) (b) Submits evidence satisfactory to the examining board that the  
9 person meets the requirements of continuing education for license renewal as the  
10 examining board may require, which requirements shall include current proficiency  
11 in the use of an automated external defibrillator achieved through instruction  
12 provided by an individual, organization, or institution of higher education approved  
13 under s. 46.03 (38) to provide such instruction. The person shall include the approval  
14 number assigned under sub. (5) (b) to each educational program completed by the  
15 person to satisfy the requirements of this paragraph. ~~During the time between~~  
16 ~~initial licensure and commencement of a full 2-year licensure period~~ The examining  
17 board shall, for up to a 2-year period, exempt new licensees ~~shall not be required to~~  
18 ~~meet continuing education requirements~~ from the requirements under this  
19 paragraph. Any person who has not engaged in the practice of chiropractic for 2  
20 years or more, while holding a valid license under this chapter, and desiring to  
21 engage in such practice, shall be required by the examining board to complete a  
22 continuing education course at a school of chiropractic approved by the examining  
23 board or pass a practical examination administered by the examining board or both.

24           **SECTION 855.** 446.02 (4) of the statutes is amended to read:

1           446.02 (4) The renewal date for all licenses granted by the examining board is  
2 specified shall be as determined by the department under s. 440.08 (2) (a), and the  
3 renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

4           **SECTION 856.** 446.025 (3) (a) of the statutes is renumbered 446.025 (3) (a) 1. and  
5 amended to read:

6           446.025 (3) (a) 1. The renewal date ~~and fees~~ for a certificate issued under this  
7 section ~~are specified in~~ shall be as determined by the department under s. 440.08 (2)  
8 (a).

9           **SECTION 857.** 446.025 (3) (a) 2. of the statutes is created to read:

10           446.025 (3) (a) 2. The renewal fees for a certificate issued under this section are  
11 determined by the department under s. 440.03 (9) (a).

12           **SECTION 858.** 446.025 (3) (b) of the statutes is amended to read:

13           446.025 (3) (b) A chiropractic radiological technician shall, at the time that he  
14 or she applies for renewal of a certificate under par. (a), submit evidence satisfactory  
15 to the examining board that he or she has completed ~~at least 12~~ continuing  
16 educational credit hours in programs established by rules promulgated by the  
17 examining board, which shall require at least 12 credit hours per 2-year period.

18           **SECTION 859.** 446.026 (3) (a) of the statutes is renumbered 446.026 (3) (a) 1. and  
19 amended to read:

20           446.026 (3) (a) 1. The renewal date ~~and fees~~ for a certificate issued under this  
21 section ~~are specified in~~ shall be as determined under s. 440.08 (2) (a).

22           **SECTION 860.** 446.026 (3) (a) 2. of the statutes is created to read:

23           446.026 (3) (a) 2. The renewal fees for a certificate issued under this section are  
24 determined by the department under s. 440.03 (9) (a).

25           **SECTION 861.** 446.026 (3) (b) of the statutes is amended to read:



1           446.026 (3) (b) A chiropractic technician shall, at the time that he or she applies  
2 for renewal of a certificate under par. (a), submit evidence satisfactory to the  
3 examining board that he or she has completed ~~at least 6~~ continuing educational  
4 credit hours in programs established by rules promulgated by the examining board,  
5 which shall require at least 6 credit hours per 2-year period.

6           **SECTION 862.** 447.01 (6g) of the statutes is created to read:

7           447.01 (6g) “Dental therapist” means an individual who practices dental  
8 therapy.

9           **SECTION 863.** 447.01 (6r) of the statutes is created to read:

10          447.01 (6r) “Dental therapy” means the limited practice of dentistry, consisting  
11 of the services, treatments, and procedures specified in s. 447.06 (3) (b).

12          **SECTION 864.** 447.02 (1) (a) of the statutes is amended to read:

13          447.02 (1) (a) Governing the reexamination of an applicant who fails an  
14 examination specified in s. 447.04 (1) (a) 5., (1m) (e), or (2) (a) 5. The rules may specify  
15 additional educational requirements for those applicants and may specify the  
16 number of times an applicant may be examined.

17          **SECTION 865.** 447.02 (1) (b) of the statutes is amended to read:

18          447.02 (1) (b) Governing the standards and conditions for the use of radiation  
19 and ionizing equipment in the practice of dentistry or dental therapy.

20          **SECTION 866.** 447.02 (1) (g) of the statutes is created to read:

21          447.02 (1) (g) Specifying services, treatments, or procedures, in addition to  
22 those specified under s. 447.06 (3) (b) 1. to 27., that are included within the practice  
23 of dental therapy.

24          **SECTION 867.** 447.02 (2) (a) of the statutes is amended to read:

1           447.02 (2) (a) The conditions for supervision and the degree of supervision  
2 required under ss. 447.03 (3) (a), (am), (b) and (d) 2. and 447.065.

3           **SECTION 868.** 447.02 (3) (a) (intro.) of the statutes is amended to read:

4           447.02 (3) (a) (intro.) The examining board may issue a permit authorizing the  
5 practice in this state, without compensation, of dentistry, dental therapy, or dental  
6 hygiene to an applicant who is licensed to practice dentistry, dental therapy, or dental  
7 hygiene in another state, if all of the following apply:

8           **SECTION 869.** 447.02 (3) (a) 2. of the statutes is amended to read:

9           447.02 (3) (a) 2. The examining board determines that the applicant is qualified  
10 and satisfies the criteria specified under s. 447.04 (1) (b) 1. to 3., except that the  
11 examining board may not require the applicant to pass an examination of state  
12 statutes and rules relating to dentistry, dental therapy, or dental hygiene.

13           **SECTION 870.** 447.02 (3) (a) 3. of the statutes is created to read:

14           447.02 (3) (a) 3. If the applicant is applying for a permit to practice dental  
15 therapy, the applicant graduated from a dental therapy education program approved  
16 under s. 447.04 (1m) (c) 1. to 3.

17           **SECTION 871.** 447.02 (3) (b) of the statutes is amended to read:

18           447.02 (3) (b) A permit under this subsection shall authorize the practice of  
19 dentistry, dental therapy, or dental hygiene in a specified area of the state for a period  
20 of time not more than 10 days in a year and may be renewed by the examining board.  
21 The examining board may not require an applicant to pay a fee for the issuance or  
22 renewal of a permit under this subsection.

23           **SECTION 872.** 447.02 (5) of the statutes is amended to read:

24           447.02 (5) Except as provided in ss. 447.058 and 447.063, nothing in this  
25 chapter may be construed as authorizing the examining board to regulate business

1 or administrative support functions or services, that do not constitute the practice  
2 of dentistry, dental therapy, or dental hygiene, provided to a business that provides  
3 dental or dental hygiene services.

4 **SECTION 873.** 447.02 (6) of the statutes is created to read:

5 447.02 (6) The examining board shall send a notice to the legislative reference  
6 bureau for publication in the Wisconsin Administrative Register when the board  
7 determines that 50 or more individuals are currently licensed as dental therapists  
8 in this state under s. 447.04 (1m). This subsection does not apply on or after the first  
9 day of the 6th year beginning after publication of this act .... [LRB inserts date].

10 **SECTION 874.** 447.03 (1m) of the statutes is created to read:

11 447.03 (1m) DENTAL THERAPISTS. Except as provided under sub. (3) and s.  
12 447.02 (3), no person may do any of the following unless he or she is licensed to  
13 practice dental therapy under this chapter:

14 (a) Practice or offer to practice dental therapy.

15 (b) Represent himself or herself to the public as a dental therapist or use, in  
16 connection with his or her name, any title or description that may convey the  
17 impression that he or she is a dental therapist.

18 **SECTION 875.** 447.03 (3) (am) of the statutes is created to read:

19 447.03 (3) (am) A dental therapy student who practices dental therapy under  
20 the supervision of a dentist in an infirmary, clinic, hospital, or other institution  
21 connected or associated for training purposes with a dental therapy school accredited  
22 by the American Dental Association commission on dental accreditation or its  
23 successor agency.

24 **SECTION 876.** 447.03 (3) (c) of the statutes is amended to read:

1           447.03 (3) (c) An individual licensed to practice dentistry, dental therapy, or  
2           dental hygiene in another state or country who practices dentistry, dental therapy,  
3           or dental hygiene in a program of dental education or research at the invitation of  
4           a group of dentists or practices dentistry, dental therapy, or dental hygiene under the  
5           jurisdiction of the army, navy, air force, U.S. public health service, or veterans  
6           bureau.

7           **SECTION 877.** 447.04 (1m) of the statutes is created to read:

8           447.04 (1m) DENTAL THERAPISTS. The examining board shall grant a license to  
9           practice dental therapy to an individual who does all of the following:

10           (a) Submits an application for the license to the department on a form provided  
11           by the department.

12           (b) Pays the fee specified in s. 440.05 (1).

13           (c) Submits evidence satisfactory to the examining board that he or she has  
14           done one of the following:

15           1. Graduated from a dental therapy education program accredited by the  
16           American Dental Association commission on dental accreditation or its successor  
17           agency.

18           2. Graduated from a dental therapy education program that was not accredited  
19           by the American Dental Association commission on dental accreditation or its  
20           successor agency at the time of graduation, but was, on or before the effective date  
21           of this subdivision .... [LRB inserts date], accredited or approved by the Minnesota  
22           Board of Dentistry.

23           3. Graduated from a dental therapy education program located outside this  
24           state that was not accredited by the American Dental Association commission on  
25           dental accreditation or its successor agency, but that is approved by the examining

1 board. The examining board shall approve a program under this subdivision if the  
2 examining board determines that the dental therapy education program is  
3 substantially similar to a program accredited by the American Dental Association  
4 commission on dental accreditation or its successor agency.

5 (d) Submits evidence satisfactory to the examining board that he or she has  
6 passed a national board dental therapy examination and a dental therapy clinical  
7 examination administered by a regional testing service that has been approved by  
8 the examining board to administer clinical examinations for dental professionals.  
9 If a national board examination or a regional testing service examination for dental  
10 therapy does not exist, the examining board shall accept evidence of passing an  
11 alternative examination administered by another entity or testing service that is  
12 approved by the examining board.

13 (e) Passes an examination administered by the examining board on the  
14 statutes and rules relating to dental therapy.

15 (f) Submits evidence satisfactory to the examining board that he or she has  
16 current proficiency in cardiopulmonary resuscitation, including the use of an  
17 automated external defibrillator achieved through instruction provided by an  
18 individual, organization, or institution of higher education approved under s. 46.03  
19 (38) to provide such instruction.

20 (g) If the individual was licensed or is currently licensed in another state or  
21 territory of the United States or in another country, the individual submits  
22 information related to his or her licensure in other jurisdictions as required by the  
23 examining board.

24 (h) Completes any other requirements established by the examining board by  
25 rule that are comparable to and no more restrictive than the requirements

1 established by the board for dentists under sub. (1) (a) 6. and dental hygienists under  
2 sub. (2) (a) 6.

3 **SECTION 878.** 447.05 (1) (a) of the statutes is amended to read:

4 447.05 (1) (a) Except as provided in par. (b), renewal applications shall be  
5 submitted to the department on a form provided by the department on or before the  
6 applicable renewal date ~~specified~~ determined by the department under s. 440.08 (2)  
7 (a) and shall include the applicable renewal fee determined by the department under  
8 s. 440.03 (9) (a).

9 **SECTION 879.** 447.05 (2m) of the statutes is created to read:

10 447.05 (2m) The examining board may not renew a license to practice dental  
11 therapy unless the applicant for renewal attests that he or she has complied with s.  
12 447.057 and any rules promulgated under s. 447.057, that he or she has current  
13 proficiency in cardiopulmonary resuscitation, and that he or she has current  
14 proficiency in the use of an automated external defibrillator achieved through  
15 instruction provided by an individual, organization, or institution of higher  
16 education approved under s. 46.03 (38) to provide such instruction.

17 **SECTION 880.** 447.055 (1) (a) of the statutes is amended to read:

18 447.055 (1) (a) 1. Except as provided in subs. (3) and (4), a person is not eligible  
19 for renewal of a license to practice dental hygiene, other than a permit issued under  
20 s. 447.02 (3), unless the person has ~~taught, prepared, attended, or otherwise~~  
21 ~~completed, during the 2-year period immediately preceding the renewal date~~  
22 ~~specified under s. 440.08 (2) (a), 12 credit hours of~~ satisfied the applicable continuing  
23 education ~~relating to the clinical practice of dental hygiene that is sponsored or~~  
24 ~~recognized by a local, state, regional, national, or international dental, dental~~

1 hygiene, dental assisting, or medical-related professional organization.  
2 requirements established under subd. 2.

3 2. ~~Notwithstanding subd. 1., the~~ The examining board ~~may~~ shall promulgate  
4 ~~a rule~~ rules requiring not more than 20 nor less than 12 credit hours of continuing  
5 education for ~~eligibility for renewal of a license to practice dental hygiene to be~~  
6 taught, prepared, attended, or otherwise completed per 2-year period. The rules  
7 shall require that continuing education be sponsored or recognized by a local, state,  
8 regional, national, or international dental, dental hygiene, dental assisting, or  
9 medical-related professional organization in order to qualify under this paragraph.

10 **SECTION 881.** 447.055 (1) (b) 1. of the statutes is amended to read:

11 447.055 (1) (b) 1. Basic life support or cardiopulmonary resuscitation. Not  
12 more than 2 of the credit hours required under par. (a) per 2-year period may be  
13 satisfied by such training.

14 **SECTION 882.** 447.055 (1) (b) 2. of the statutes is amended to read:

15 447.055 (1) (b) 2. Infection control. Not less than 2 of the credit hours required  
16 under par. (a) per 2-year period must be satisfied by such training.

17 **SECTION 883.** 447.055 (3) of the statutes is repealed and recreated to read:

18 447.055 (3) The examining board shall, for up to a 2-year period, exempt new  
19 licensees from the requirements under this section.

20 **SECTION 884.** 447.056 (1) (intro.) of the statutes is amended to read:

21 447.056 (1) (intro.) Except as provided in subs. (2) ~~to~~ and (4), a person is not  
22 eligible for renewal of a license to practice dentistry, other than a permit issued under  
23 s. 447.02 (3), unless the person has ~~taught, attended, or otherwise completed, during~~  
24 ~~the 2-year period immediately preceding the renewal date specified under s. 440.08~~  
25 ~~(2) (a), 30 credit hours of~~ satisfied the applicable continuing education ~~related to the~~

1 ~~practice of dentistry or the practice of medicine, including requirements established~~  
2 ~~under this subsection. The examining board shall promulgate rules requiring 30~~  
3 ~~credit hours of continuing education to be taught, prepared, attended, or otherwise~~  
4 ~~completed per 2-year period. The rules shall require that not less than 25 credit~~  
5 ~~hours of instruction per 2-year period be in clinical dentistry or clinical medicine.~~  
6 ~~Not The rules may not allow more than 4 of the 30 hours may per 2-year period to~~  
7 ~~be from teaching. Continuing education does not satisfy the requirements under this~~  
8 ~~subsection unless the continuing education is one of the following:~~

9 **SECTION 885.** 447.056 (2) of the statutes is repealed and recreated to read:

10 447.056 (2) The examining board shall, for up to a 2-year period, exempt new  
11 licensees from the requirements under this section.

12 **SECTION 886.** 447.056 (3) of the statutes is repealed.

13 **SECTION 887.** 447.057 of the statutes is created to read:

14 **447.057 Continuing education; dental therapists.** (1) (a) Except as  
15 provided in subs. (3) and (4), a person is not eligible for renewal of a license to practice  
16 dental therapy, other than a permit issued under s. 447.02 (3), unless the person has  
17 taught, prepared, attended, or otherwise completed, during the 2-year period  
18 immediately preceding the renewal date specified under s. 440.08 (2) (a), 12 credit  
19 hours of continuing education relating to the clinical practice of dental therapy that  
20 is sponsored or recognized by a local, state, regional, national, or international  
21 dental, dental therapy, dental hygiene, dental assisting, or medical-related  
22 professional organization.

23 (b) Continuing education required under par. (a) may include training in all of  
24 the following:



1           1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of the  
2 credit hours required under par. (a) may be satisfied by such training.

3           2. Infection control. Not less than 2 of the credit hours required under par. (a)  
4 must be satisfied by such training.

5           (c) After consultation with the department of health services, the examining  
6 board may promulgate rules requiring that continuing education credit hours under  
7 par. (a) include courses in specific clinical subjects.

8           **(2)** The credit hours required under sub. (1) (a) may be satisfied by independent  
9 study, correspondence, or Internet programs or courses.

10          **(3)** Subsection (1) (a) does not apply to an applicant for renewal of a license that  
11 expires on the first renewal date after the date on which the examining board  
12 initially granted the license.

13          **(4)** A person may substitute credit hours of college level courses related to the  
14 practice of dental therapy for the credit hours required under sub. (1) (a). For  
15 purposes of this subsection, one credit hour of a college level course is equivalent to  
16 6 credit hours of continuing education.

17          **(5)** For purposes of sub. (1) (a), one hour of teaching or preparing a continuing  
18 education program is equivalent to one credit hour of continuing education, but a  
19 person who teaches or prepares a continuing education program may obtain credit  
20 for the program only once.

21          **(6)** The examining board may require applicants for renewal of a license to  
22 practice dental therapy to submit proof of compliance with the requirements of this  
23 section.

24          **SECTION 217e.** 447.057 (1) (a) and (b) 1. and 2. of the statutes, as created by  
25 2023 Wisconsin Act .... (this act), are amended to read:

1           447.057 (1) (a) Except as provided in subs. (3) and (4), a person is not eligible  
2 for renewal of a license to practice dental therapy, other than a permit issued under  
3 s. 447.02 (3), unless the person has ~~taught, prepared, attended, or otherwise~~  
4 ~~completed, during the 2-year period immediately preceding the renewal date~~  
5 ~~specified under s. 440.08 (2) (a), 12 credit hours of~~ satisfied the applicable continuing  
6 education relating to the clinical practice of dental therapy that is sponsored or  
7 recognized by a local, state, regional, national, or international dental, dental  
8 therapy, dental hygiene, dental assisting, or medical-related professional  
9 organization requirements established under subd. 2.

10           (b) 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of  
11 the credit hours required under par. (a) per 2-year period may be satisfied by such  
12 training.

13           2. Infection control. Not less than 2 of the credit hours required under par. (a)  
14 per 2-year period must be satisfied by such training.

15           **SECTION 217f.** 447.057 (3) of the statutes, as created by 2023 Wisconsin Act ....  
16 (this act), is repealed and recreated to read:

17           447.057 (3) The examining board shall, for up to a 2-year period, exempt new  
18 licensees from the requirements under this section.

19           **SECTION 888.** 447.058 (2) (b) of the statutes is amended to read:

20           447.058 (2) (b) A mobile dentistry program registrant shall submit an  
21 application for renewal, and the applicable renewal fee determined by the  
22 department under s. 440.03 (9) (a), to the department on a form provided by the  
23 department on or before the applicable renewal date specified determined by the  
24 department under s. 440.08 (2) (a).

25           **SECTION 889.** 447.06 (1) of the statutes is amended to read:

1           447.06 (1) No contract of employment entered into between a dentist or dental  
2 therapist and any other party under which the dentist or dental therapist renders  
3 dental services may require the dentist or dental therapist to act in a manner ~~which~~  
4 that violates the professional standards for dentistry or dental therapy set forth in  
5 this chapter. Nothing in this subsection limits the ability of the other party to control  
6 the operation of the dental practice in a manner in accordance with the professional  
7 standards for dentistry or dental therapy set forth in this chapter.

8           **SECTION 890.** 447.06 (1m) of the statutes is created to read:

9           447.06 (1m) No contract of employment entered into between a dental  
10 therapist and any other party under which the dental therapist is employed to  
11 practice dental therapy may require a dental therapist to meet a minimum quota for  
12 the number of patients seen or the number of procedures performed.

13           **SECTION 891.** 447.06 (2) (a) 3. of the statutes is amended to read:

14           447.06 (2) (a) 3. For a school for the education of dentists, dental therapists,  
15 or dental hygienists.

16           **SECTION 892.** 447.06 (2) (b) of the statutes is amended to read:

17           447.06 (2) (b) A dental hygienist may practice dental hygiene or perform  
18 remediable procedures under par. (a) 1. only as authorized by a dentist or dental  
19 therapist who is licensed to practice dentistry or dental therapy under this chapter  
20 and who is present in the facility in which those practices or procedures are  
21 performed, except as provided in par. (c).

22           **SECTION 893.** 447.06 (2) (c) (intro.) of the statutes is amended to read:

23           447.06 (2) (c) (intro.) A dental hygienist may practice dental hygiene or perform  
24 remediable procedures under par. (a) 1. if a dentist or dental therapist who is licensed  
25 to practice dentistry or dental therapy under this chapter is not present in the facility

1 in which those practices or procedures are performed only if all of the following  
2 conditions are met:

3 **SECTION 894.** 447.06 (2) (c) 2. (intro.) of the statutes is amended to read:

4 447.06 (2) (c) 2. (intro.) The dentist or dental therapist who made the written  
5 or oral prescription has examined the patient at least once during the 12-month  
6 period immediately preceding:

7 **SECTION 895.** 447.06 (3) of the statutes is created to read:

8 447.06 (3) (a) In this subsection:

- 9 1. “Collaborative management agreement” means an agreement under par. (d).
- 10 2. “Dental health shortage area” has the meaning given in s. 36.60 (1) (ad).
- 11 3. “Direct supervision” means that the dentist is present in the dental office or  
12 other practice setting, personally diagnoses the condition to be treated, personally  
13 authorizes each procedure, and before dismissal of the patient, evaluates the  
14 performance of the allied dental personnel.
- 15 4. “General supervision” means that the dentist is not present in the dental  
16 office or other practice setting or on the premises at the time tasks or procedures are  
17 being performed by the dental therapist, but that the tasks or procedures performed  
18 by the dental therapist are being performed with the prior knowledge and consent  
19 of the dentist.
- 20 5. “Indirect supervision” means that the dentist is present in the dental office  
21 or other practice setting, authorizes each procedure, and remains in the office while  
22 the procedures are being performed by the allied dental personnel.
- 23 6. “Medical Assistance patient” means a patient who is a recipient of services  
24 under the Medical Assistance program under subch. IV of ch. 49.

1           7. “Qualifying dentist” means a dentist who is licensed in this state and who  
2 is actively practicing in this state.

3           8. “Uninsured patient” means a patient who lacks dental health coverage,  
4 either through a public health care program or private insurance, and has an annual  
5 gross family income equal to or less than 200 percent of the federal poverty  
6 guidelines.

7           (b) The scope of practice of a dental therapist shall, subject to the terms of a  
8 collaborative management agreement, be limited to providing the following services,  
9 treatments, and procedures:

10           1. Oral evaluation and assessment of dental disease and formulation of an  
11 individualized treatment plan.

12           2. Identification of oral and systemic conditions requiring evaluation or  
13 treatment by dentists, physicians, or other health care providers and the  
14 management of referrals.

15           3. Comprehensive charting of the oral cavity.

16           4. Oral health instruction and disease prevention education, including  
17 nutritional counseling and dietary analysis.

18           5. Exposure and evaluation of radiographic images.

19           6. Dental prophylaxis, including subgingival scaling and polishing procedures.

20           7. Dispensing and administration via the oral or topical route of nonnarcotic  
21 analgesic, anti-inflammatory, and antibiotic medications as prescribed by a licensed  
22 health care provider.

23           8. Application of topical preventive or prophylactic agents, including fluoride  
24 varnish, antimicrobial agents, caries arresting medicaments, and pit and fissure  
25 sealants.

- 1           9. Pulp vitality testing.
- 2           10. Application of desensitizing medications or resins.
- 3           11. Fabrication of athletic mouth guards and soft occlusal guards.
- 4           12. Changing of periodontal dressings.
- 5           13. Administration of local anesthetic and nitrous oxide.
- 6           14. Simple extraction of erupted primary teeth.
- 7           15. Nonsurgical extraction of periodontally diseased permanent teeth with
- 8 tooth mobility of +3 to +4 to the extent authorized in the dental therapist's
- 9 collaborative management agreement, except for the extraction of a tooth that is
- 10 unerupted, impacted, or fractured or that needs to be sectioned for removal.
- 11           16. Emergency palliative treatment of dental pain limited to the procedures in
- 12 this paragraph.
- 13           17. Preparation and placement of direct restoration in primary and permanent
- 14 teeth.
- 15           18. Fabrication and placement of single-tooth temporary crowns.
- 16           19. Preparation and placement of preformed crowns on primary teeth.
- 17           20. Indirect and direct pulp capping on permanent teeth.
- 18           21. Indirect pulp capping on primary teeth.
- 19           22. Intraoral suture placement and removal.
- 20           23. Minor adjustment and repair of removable prostheses.
- 21           24. Placement and removal of space maintainers.
- 22           25. Pulpotomy on primary teeth.
- 23           26. Tooth reimplantation and stabilization.
- 24           27. Recementing of a permanent crown.

1           28. Any additional services, treatments, or procedures specified in the rules  
2 promulgated under s. 447.02 (1) (g).

3           (bm) 1. Notwithstanding par. (b) 1. to 28., a dental therapist shall, except as  
4 provided in subd. 2., limit his or her practice of dental therapy to providing the  
5 services, treatments, and procedures covered by his or her dental therapy education  
6 program.

7           2. If any service, treatment, or procedure under par. (b) 1. to 28. was not covered  
8 by a dental therapist's dental therapy education program, the dental therapist may  
9 provide that service, treatment, or procedure if the dental therapist has  
10 subsequently received additional dental therapy educational training to provide  
11 that service, treatment, or procedure.

12           (c) 1. Except as provided in subd. 2., a dental therapist licensed under this  
13 chapter may provide dental therapy services in this state only under the direct  
14 supervision or indirect supervision of a qualifying dentist with whom the dental  
15 therapist has entered into a collaborative management agreement.

16           2. a. Once a dental therapist licensed under this chapter has provided dental  
17 therapy services for at least 2,000 hours under direct supervision or indirect  
18 supervision, the dental therapist may provide dental therapy services in this state  
19 under the general supervision of a qualifying dentist with whom the dental therapist  
20 has entered into a collaborative management agreement.

21           b. For purposes of the 2,000 hours requirement under subd. 2. a., hours may  
22 include hours of providing dental therapy services in this state under direct  
23 supervision or indirect supervision of a qualifying dentist as described in subd. 1. or  
24 hours of providing dental therapy services under direct supervision or indirect  
25 supervision while licensed as a dental therapist outside this state, but may not

1 include any hours completed prior to graduating from the dental therapy education  
2 program.

3 3. Notwithstanding subds. 1. and 2., the level of supervision for a dental  
4 therapist may be further limited under the terms of a collaborative management  
5 agreement under par. (d) 1. b.

6 4. A supervising dentist shall accept responsibility for all services performed  
7 by a dental therapist pursuant to a collaborative management agreement. If services  
8 needed by a patient are beyond the dental therapist's scope of practice or  
9 authorization under the collaborative management agreement, the dental therapist  
10 shall, to the extent required under the collaborative management agreement,  
11 consult with the supervising dentist as needed to arrange for those services to be  
12 provided by a dentist or another qualified health care provider.

13 (d) 1. Prior to providing any dental therapy services, a dental therapist shall  
14 enter into a written collaborative management agreement with a qualifying dentist  
15 who will serve as a supervising dentist under par. (c). The agreement must be signed  
16 by the dental therapist and the qualifying dentist and address all of the following:

17 a. The practice settings where services may be provided and the patient  
18 populations that may be served.

19 b. Consistent with and subject to pars. (bm) and (c), any conditions or  
20 limitations on the services that may be provided by the dental therapist, the level of  
21 supervision required, and any circumstances requiring consultation prior to  
22 performing services.

23 c. Age-specific and procedure-specific practice protocols.

24 d. Dental record-keeping procedures.

25 e. Plans for managing dental or medical emergencies.



1 f. A quality assurance plan for monitoring care provided by the dental  
2 therapist.

3 g. Protocols for administering and dispensing medications.

4 h. Criteria or protocols relating to the provision of care to patients with specific  
5 medical conditions, treatments, or medications.

6 i. Policies relating to supervision of dental hygienists and other staff.

7 j. A plan for the referral of patients to other dental or health care providers or  
8 clinics when services needed are beyond the scope of practice or authorization of the  
9 dental therapist.

10 k. Whether and to what extent the dental therapist may perform services  
11 described in par. (b) 15.

12 2. a. A collaborative management agreement shall be limited to covering one  
13 qualifying dentist and one dental therapist.

14 b. A dental therapist may enter into multiple collaborative management  
15 agreements.

16 c. No dentist may have collaborative management agreements with more than  
17 4 dental therapists at any time.

18 (e) A dental therapist shall at all times comply with at least one of the following:

19 1. Limit his or her practice to practicing in one or more dental health shortage  
20 areas. If a dental therapist begins practicing in a dental health shortage area, and  
21 that area loses its designation as a dental health shortage area while the dental  
22 therapist continues to practice in that area, the dental therapist is considered to  
23 satisfy this subdivision as long as the dental therapist continues to practice in that  
24 area.

1           2. Practice in one or more settings in which at least 50 percent of the total  
2 patient base of the dental therapist consists of patients who are any of the following:

3           a. Medical Assistance patients.

4           b. Uninsured patients.

5           c. Patients receiving dental care at free and charitable clinics.

6           d. Patients receiving dental care at federally qualified health centers.

7           e. Patients who reside in long-term care facilities.

8           f. Veterans.

9           g. Patients who are members of a federally recognized Indian tribe or band.

10          h. Patients receiving dental care at clinics or facilities located on tribal lands.

11          i. Patients with medical disabilities or chronic conditions that create barriers  
12 of access to dental care.

13           **SECTION 896.** 447.063 of the statutes is amended to read:

14           **447.063 Preservation and transfer of patient health care records. (1)**

15           A person who manages or controls a business that offers dental, dental therapy, or  
16 dental hygiene services, including management or control of a business through  
17 which the person allows another person to offer dental, dental therapy, or dental  
18 hygiene services, shall preserve patient health care records, as defined in s. 146.81  
19 (4), for an amount of time determined by the examining board by rule.

20           **(2)** A person who manages or controls a business that offers dental, dental  
21 therapy, or dental hygiene services, including management or control of a business  
22 through which the person allows another person to offer dental, dental therapy, or  
23 dental hygiene services, shall, upon request of a patient or person authorized by the  
24 patient, as defined in s. 146.81 (5), transfer the patient health care records, as

1 defined in s. 146.81 (4), of the patient to another person that the patient or person  
2 authorized by the patient specifies to receive the patient health care records.

3 **SECTION 897.** 447.065 of the statutes is amended to read:

4 **447.065 Delegation of remediable procedures and dental practices. (1)**

5 A dentist or dental therapist who is licensed to practice dentistry under this chapter  
6 may delegate to an individual who is not licensed under this chapter only the  
7 performance of remediable procedures, and only if all of the following conditions are  
8 met:

9 (a) The unlicensed individual performs the remediable procedures in  
10 accordance with a treatment plan approved by the dentist or dental therapist.

11 (b) The dentist or dental therapist is on the premises when the unlicensed  
12 individual performs the remediable procedures.

13 (c) The unlicensed individual's performance of the remediable procedures is  
14 subject to inspection by the dentist or dental therapist.

15 **(2)** Subject to the requirements under s. 447.06 (2), a dentist or dental therapist  
16 who is licensed to practice dentistry under this chapter may delegate to a dental  
17 hygienist who is licensed to practice dental hygiene under this chapter the  
18 performance of remediable procedures and the administration of oral systemic  
19 premedications, local anesthesia, nitrous oxide inhalation analgesia, and  
20 subgingival sustained release chemotherapeutic agents, to the extent the dentist or  
21 dental therapist has the authority to perform the activity personally.

22 **(3)** A dentist or dental therapist who delegates to another individual the  
23 performance of any practice or remediable procedure is responsible for that  
24 individual's performance of that delegated practice or procedure.

25 **SECTION 898.** 447.07 (1) of the statutes is amended to read:

1           447.07 (1) The examining board may, without further notice or process, limit,  
2 suspend, or revoke the license or certificate of any dentist, dental therapist, or dental  
3 hygienist, or the registration of a mobile dentistry program registrant, who fails,  
4 within 60 days after the mailing of written notice to the dentist's, dental therapist's,  
5 dental hygienist's, or registrant's last-known address, to renew the license,  
6 certificate, or registration.

7           **SECTION 899.** 447.07 (3) (intro.) of the statutes is amended to read:

8           447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the  
9 examining board may make investigations and conduct hearings in regard to any  
10 alleged action of any dentist, dental therapist, dental hygienist, or expanded  
11 function dental auxiliary, of a mobile dentistry program registrant, or of any other  
12 person it has reason to believe is engaged in or has engaged in the practice of  
13 dentistry, dental therapy, or dental hygiene, or the operation of a mobile dentistry  
14 program, in this state, and may, on its own motion, or upon complaint in writing,  
15 reprimand any dentist, dental therapist, dental hygienist, or expanded function  
16 dental auxiliary who is licensed or certified under this chapter, or any mobile  
17 dentistry program registrant, or deny, limit, suspend, or revoke his or her license or  
18 certificate, or the registration of the mobile dentistry program registrant, if it finds  
19 that the dentist, dental therapist, dental hygienist, expanded function dental  
20 auxiliary, or mobile dentistry program registrant has done any of the following:

21           **SECTION 900.** 447.07 (3) (e) to (h) of the statutes are amended to read:

22           447.07 (3) (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a  
23 crime, the circumstances of which substantially relate to the practice of dentistry,  
24 dental therapy, or dental hygiene, the practice of an expanded function dental  
25 auxiliary, or the operation of a mobile dentistry program.

1 (f) Violated this chapter or any federal or state statute or rule that relates to  
2 the practice of dentistry, dental therapy, dental hygiene, or an expanded function  
3 dental auxiliary, or the operation of a mobile dentistry program.

4 (g) Subject to ss. 111.321, 111.322 and 111.34, practiced dentistry, dental  
5 therapy, or dental hygiene or as an expanded function dental auxiliary while his or  
6 her ability was impaired by alcohol or other drugs.

7 (h) Engaged in conduct that indicates a lack of knowledge of, an inability to  
8 apply or the negligent application of, principles or skills of dentistry, dental therapy,  
9 or dental hygiene or the practice of an expanded function dental auxiliary.

10 **SECTION 901.** 447.40 (intro.) of the statutes is amended to read:

11 **447.40 Informed consent.** (intro.) Any dentist or dental therapist who treats  
12 a patient shall inform the patient about the availability of reasonable alternate  
13 modes of treatment and about the benefits and risks of these treatments. The  
14 reasonable dentist standard is the standard for informing a patient under this  
15 section. The reasonable dentist standard requires disclosure only of information  
16 that a reasonable dentist would know and disclose under the circumstances. The  
17 dentist's or dental therapist's duty to inform the patient under this section does not  
18 require disclosure of any of the following:

19 **SECTION 902.** 447.40 (6) of the statutes is amended to read:

20 447.40 (6) Information about alternate modes of treatment for any condition  
21 the dentist or dental therapist has not included in his or her diagnosis, assessment,  
22 or treatment plan at the time the dentist or dental therapist informs the patient.

23 **SECTION 903.** 448.03 (2) (a) of the statutes is amended to read:

24 448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
25 permit, registration, certificate, or certification granted to practice midwifery under

1 subch. XIII of ch. 440, to practice professional or practical nursing or  
2 nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice  
3 dentistry, dental therapy, or dental hygiene or as an expanded function dental  
4 auxiliary under ch. 447, to practice optometry under ch. 449, to practice as a  
5 physician assistant under subch. IX, to practice acupuncture under ch. 451 or under  
6 any other statutory provision, to practice naturopathic medicine under ch. 466, or as  
7 otherwise provided by statute.

8 **SECTION 233e.** 448.03 (2) (a) of the statutes, as affected by 2023 Wisconsin Act  
9 .... (this act), is amended to read:

10 448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
11 permit, registration, certificate, or certification granted to practice midwifery under  
12 subch. XIII of ch. 440, to practice professional ~~or~~ practical, or advanced practice  
13 registered nursing ~~or nurse-midwifery~~ under ch. 441, to practice chiropractic under  
14 ch. 446, to practice dentistry, dental therapy, or dental hygiene or as an expanded  
15 function dental auxiliary under ch. 447, to practice optometry under ch. 449, to  
16 practice as a physician assistant under subch. IX, to practice acupuncture under ch.  
17 451 or under any other statutory provision, to practice naturopathic medicine under  
18 ch. 466, or as otherwise provided by statute.

19 **SECTION 904.** 448.03 (3m) of the statutes is created to read:

20 448.03 (3m) USE OF TERMS REPRESENTING PHYSICIANS. Except as otherwise  
21 provided in this chapter, no person, except a licensed physician, may use or assume  
22 the following words, letters, or terms in his or her title, advertising, or description  
23 of services: “physician,” “surgeon,” “osteopathic physician,” “osteopathic surgeon,”  
24 “medical doctor,” “anesthesiologist,” “cardiologist,” “dermatologist,”  
25 “endocrinologist,” “gastroenterologist,” “gynecologist,” “hematologist,”

1 “laryngologist,” “nephrologist,” “neurologist,” “obstetrician,” “oncologist,”  
2 “ophthalmologist,” “orthopedic surgeon,” “orthopedist,” “osteopath,” “otologist,”  
3 “otolaryngologist,” “otorhinolaryngologist,” “pathologist,” “pediatrician,” “primary  
4 care physician,” “proctologist,” “psychiatrist,” “radiologist,” “rheumatologist,”  
5 “rhinologist,” “urologist,” or any other words, letters, or abbreviations, alone or in  
6 combination with other titles or words, that represent or tend to represent that the  
7 person is a physician.

8 **SECTION 905.** 448.035 (1) (a) of the statutes is repealed.

9 **SECTION 906.** 448.035 (2) to (4) of the statutes are amended to read:

10 448.035 **(2)** Notwithstanding the requirements of s. 448.30, a physician ~~or~~  
11 ~~certified advanced practice nurse prescriber~~ may provide expedited partner therapy  
12 if the patient is diagnosed as infected with a chlamydial infection, gonorrhea, or  
13 trichomoniasis and the patient has had sexual contact with a sexual partner during  
14 which the chlamydial infection, gonorrhea, or trichomoniasis may have been  
15 transmitted to or from the sexual partner. The physician ~~or certified advanced~~  
16 ~~practice nurse prescriber~~ shall attempt to obtain the name of the patient’s sexual  
17 partner. A prescription order for an antimicrobial drug prepared under this  
18 subsection shall include the name and address of the patient’s sexual partner, if  
19 known. If the physician ~~or certified advanced practice nurse prescriber~~ is unable to  
20 obtain the name of the patient’s sexual partner, the prescription order shall include,  
21 in ordinary bold-faced capital letters, the words, “expedited partner therapy” or the  
22 letters “EPT.”

23 **(3)** The physician ~~or certified advanced practice nurse prescriber~~ shall provide  
24 the patient with a copy of the information sheet prepared by the department of health

1 services under s. 46.03 (44) and shall request that the patient give the information  
2 sheet to the person with whom the patient had sexual contact.

3 (4) (a) Except as provided in par. (b), a physician ~~or certified advanced practice~~  
4 ~~nurse prescriber~~ is immune from civil liability for injury to or the death of a person  
5 who takes any antimicrobial drug if the antimicrobial drug is prescribed, dispensed,  
6 or furnished under this section and if expedited partner therapy is provided as  
7 specified under this section.

8 (b) The immunity under par. (a) does not extend to the donation, distribution,  
9 furnishing, or dispensing of an antimicrobial drug by a physician ~~or certified~~  
10 ~~advanced practice nurse prescriber~~ whose act or omission involves reckless, wanton,  
11 or intentional misconduct.

12 **SECTION 907.** 448.07 (1) (a) of the statutes is amended to read:

13 448.07 (1) (a) Every person licensed or certified under this subchapter shall  
14 register ~~on or before November 1 of each odd-numbered year following issuance of~~  
15 ~~the license or certificate with the board on or before his or her renewal date~~  
16 determined by the department under s. 440.08 (2). Registration shall be completed  
17 in such manner as the board shall designate and upon forms the board shall provide,  
18 except that registration with respect to a compact license shall be governed by the  
19 renewal provisions in s. 448.980 (7). ~~The secretary of the board, on or before October~~  
20 ~~1 of each odd-numbered year, shall mail or cause to be mailed to every person~~  
21 ~~required to register a registration form.~~ The board shall furnish to each person  
22 registered under this section a certificate of registration, and the person shall display  
23 the registration certificate conspicuously in the office at all times. No person may  
24 exercise the rights or privileges conferred by any license or certificate granted by the  
25 board unless currently registered as required under this subsection.



1           **SECTION 908.** 448.13 (title) of the statutes is repealed and recreated to read:

2           **448.13 (title) Continuing education and professional development.**

3           **SECTION 909.** 448.13 (1) (a) 1. of the statutes is amended to read:

4           448.13 (1) (a) 1. Continuing education programs or courses of study approved  
5 for at least 30 hours of credit required by the board within the 2 calendar years  
6 preceding the calendar year for which the registration is effective by rule under s.  
7 448.40 (2).

8           **SECTION 910.** 448.13 (1) (a) 2. of the statutes is amended to read:

9           448.13 (1) (a) 2. Professional development and maintenance of certification or  
10 performance improvement or continuing medical education programs or courses of  
11 study required by the board by rule under s. 448.40 (1) and ~~completed within the 2~~  
12 ~~calendar years preceding the calendar year for which the registration is effective.~~

13           **SECTION 911.** 448.13 (1m) of the statutes is amended to read:

14           448.13 (1m) The board shall, on a random basis, verify the accuracy of proof  
15 submitted by physicians under sub. (1) (a) and may, at any time ~~during the 2 calendar~~  
16 ~~years specified in sub. (1) (a),~~ require a physician to submit proof of any continuing  
17 education, professional development, and maintenance of certification or  
18 performance improvement or continuing medical education programs or courses of  
19 study that he or she has attended and completed at that time ~~during the 2 calendar~~  
20 ~~years~~ since he or she last registered under s. 448.07.

21           **SECTION 912.** 448.40 (1) of the statutes is amended to read:

22           448.40 (1) The board may promulgate rules to carry out the purposes of this  
23 subchapter, including rules requiring the completion of ~~continuing education,~~  
24 ~~professional development,~~ and maintenance of certification or performance

1 improvement ~~or continuing medical education~~ programs for renewal of a license to  
2 practice medicine and surgery.

3 **SECTION 913.** 448.40 (2) (e) of the statutes is amended to read:

4 448.40 (2) (e) Establishing continuing education or continuing medical  
5 education requirements for renewal of a license to practice medicine and surgery  
6 under s. 448.13 (1). The board shall require 30 hours of continuing education to be  
7 completed every 2-year period. The examining board shall establish the criteria for  
8 the substitution of uncompensated hours of professional assistance volunteered to  
9 the department of health services for some or all of the hours of continuing education  
10 credits required under s. 448.13 (1) (a) 1. for physicians specializing in psychiatry.  
11 The eligible substitution hours shall involve professional evaluation of community  
12 programs for the certification and recertification of community mental health  
13 programs, as defined in s. 51.01 (3n), by the department of health services.

14 **SECTION 914.** 448.55 (2) of the statutes is amended to read:

15 448.55 (2) The renewal dates for licenses granted under this subchapter, other  
16 than temporary licenses granted under rules promulgated under s. 448.53 (2), ~~are~~  
17 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a). Renewal  
18 applications shall be submitted to the department on a form provided by the  
19 department and shall include the renewal fee determined by the department under  
20 s. 440.03 (9) (a) and proof of compliance with the requirements established in any  
21 rules promulgated under sub. (3).

22 **SECTION 915.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

23 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.  
24 448.52, a person may practice physical therapy only upon the written referral of a  
25 physician, naturopathic doctor, physician assistant, chiropractor, dentist, podiatrist,

1 or advanced practice registered nurse ~~prescriber certified under s. 441.16 (2)~~.  
2 Written referral is not required if a physical therapist provides services in schools to  
3 children with disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated  
4 by the department of public instruction; provides services as part of a home health  
5 care agency; provides services to a patient in a nursing home pursuant to the  
6 patient's plan of care; provides services related to athletic activities, conditioning, or  
7 injury prevention; or provides services to an individual for a previously diagnosed  
8 medical condition after informing the individual's physician, naturopathic doctor,  
9 physician assistant, chiropractor, dentist, podiatrist, or advanced practice registered  
10 nurse ~~prescriber certified under s. 441.16 (2)~~ who made the diagnosis. The  
11 examining board may promulgate rules establishing additional services that are  
12 excepted from the written referral requirements of this subsection.

13 **(1m)** (b) The examining board shall promulgate rules establishing the  
14 requirements that a physical therapist must satisfy if a physician, naturopathic  
15 doctor, physician assistant, chiropractor, dentist, podiatrist, or advanced practice  
16 registered nurse ~~prescriber~~ makes a written referral under sub. (1). The purpose of  
17 the rules shall be to ensure continuity of care between the physical therapist and the  
18 health care practitioner.

19 **SECTION 916.** 448.62 (2m) of the statutes is amended to read:

20 448.62 **(2m)** An advanced practice registered nurse ~~who is certified to issue~~  
21 ~~prescription orders under s. 441.16 and~~ who is providing nonsurgical patient services  
22 as directed, supervised, and inspected by a podiatrist who has the power to direct,  
23 decide, and oversee the implementation of the patient services rendered.

24 **SECTION 917.** 448.65 (2) (intro.) of the statutes is amended to read:

1           448.65 (2) (intro.) The renewal date for a license granted under this subchapter,  
2 other than a temporary license granted under rules promulgated under s. 448.63 (3),  
3 ~~is specified shall be as determined by the department~~ under s. 440.08 (2) (a).  
4 Renewal applications shall be submitted to the department on a form provided by the  
5 department and shall be accompanied by all of the following:

6           **SECTION 918.** 448.665 of the statutes is amended to read:

7           **448.665 Continuing education.** The affiliated credentialing board shall  
8 promulgate rules establishing requirements and procedures for licensees to  
9 complete continuing education programs or courses of study in order to qualify for  
10 renewal of a license granted under this subchapter. The rules shall require a licensee  
11 to complete at least 30 hours of continuing education programs or courses of study  
12 ~~within each per 2-year period immediately preceding the renewal date specified~~  
13 ~~under s. 440.08 (2) (a).~~ The affiliated credentialing board may waive all or part of  
14 these requirements for the completion of continuing education programs or courses  
15 of study if the affiliated credentialing board determines that prolonged illness,  
16 disability or other exceptional circumstances have prevented a licensee from  
17 completing the requirements.

18           **SECTION 919.** 448.67 (2) of the statutes is amended to read:

19           **448.67 (2) SEPARATE BILLING REQUIRED.** Except as provided in sub. (4), a licensee  
20 who renders any podiatric service or assistance, or gives any podiatric advice or any  
21 similar advice or assistance, to any patient, podiatrist, physician, physician  
22 assistant, advanced practice registered nurse ~~prescriber certified under s. 441.16 (2),~~  
23 partnership, or corporation, or to any other institution or organization, including a  
24 hospital, for which a charge is made to a patient, shall, except as authorized by  
25 Title 18 or Title 19 of the federal Social Security Act, render an individual statement

1 or account of the charge directly to the patient, distinct and separate from any  
2 statement or account by any other podiatrist, physician, physician assistant,  
3 advanced practice registered nurse ~~prescriber~~, or other person.

4 **SECTION 920.** 448.86 (2) of the statutes is amended to read:

5 448.86 (2) The renewal dates for certificates granted under this subchapter,  
6 other than temporary certificates granted under s. 448.80, ~~are specified~~ shall be as  
7 determined by the department under s. 440.08 (2) (a). Renewal applications shall  
8 be submitted to the department on a form provided by the department and shall  
9 include the renewal fee determined by the department under s. 440.03 (9) (a).

10 **SECTION 921.** 448.9545 (1) (a) of the statutes is amended to read:

11 448.9545 (1) (a) To be eligible for renewal of a license issued under s. 448.953  
12 (1) or (2), a licensee shall, ~~during the 2-year period immediately preceding the~~  
13 ~~renewal date specified under s. 440.08 (2) (a), complete not less than 30 credit hours~~  
14 ~~of continuing education in courses of study approved by the affiliated credentialing~~  
15 ~~board. The examining board shall promulgate rules to establish the continuing~~  
16 ~~education requirements under this section. The rules shall require completion of not~~  
17 ~~less than 30 credit hours of continuing education per 2-year period.~~

18 **SECTION 922.** 448.9545 (1) (b) (intro.) of the statutes is amended to read:

19 448.9545 (1) (b) (intro.) No more than 10 credit hours of the continuing  
20 education required under par. (a) per 2-year period may be on any of the following  
21 subject areas or combination of subject areas:

22 **SECTION 923.** 448.955 (1) of the statutes is amended to read:

23 448.955 (1) The renewal dates for licenses granted under this subchapter ~~are~~  
24 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a).

25 **SECTION 924.** 448.955 (2) (a) of the statutes is amended to read:

1           448.955 (2) (a) ~~Completed, during the 2-year period immediately preceding the~~  
2 ~~renewal date specified in s. 440.08 (2) (a), the applicable~~ continuing education  
3 requirements ~~specified in~~ established under s. 448.9545.

4           **SECTION 925.** 448.955 (3) (a) of the statutes is amended to read:

5           448.955 (3) (a) A place for the licensee to describe his or her work history,  
6 including the average number of hours worked each week, for the 2-year period  
7 immediately preceding the renewal date ~~specified in~~ determined by the department  
8 under s. 440.08 (2) (a).

9           **SECTION 926.** 448.956 (1) (c) of the statutes is amended to read:

10           448.956 (1) (c) A protocol established under par. (a) shall be updated no later  
11 than 30 days before the licensee's renewal date ~~specified in s. 440.08 (2) (a) 14f.~~

12           **SECTION 927.** 448.956 (1m) of the statutes, as affected by 2021 Wisconsin Act  
13 251, is amended to read:

14           448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training  
15 to an individual without a referral, except that a licensee may not provide athletic  
16 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation  
17 setting unless the licensee has obtained a written referral for the individual from a  
18 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;  
19 under ch. 446; or under s. ~~441.16 (2)~~ 441.09 or from a practitioner who holds a  
20 compact privilege under subch. XI or XII of ch. 448.

21           **SECTION 928.** 448.967 (2) of the statutes is amended to read:

22           448.967 (2) The renewal dates for licenses granted under this subchapter ~~are~~  
23 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a). Renewal  
24 applications shall be submitted to the department on a form provided by the  
25 department and shall include the renewal fee determined by the department under

1 s. 440.03 (9) (a) and a statement attesting compliance with the continuing education  
2 requirements established in rules promulgated under s. 448.965 (1) (b).

3 **SECTION 929.** 448.9703 (3) (a) of the statutes is amended to read:

4 448.9703 (3) (a) Successfully completed at least 30 hours of applicable  
5 continuing education in the prior 2-year period requirements established under this  
6 paragraph. The rules promulgated under this paragraph shall require at least 30  
7 hours of continuing education per 2-year period. The board may provide for an  
8 exemption from or a reduction of the requirement under this paragraph for new  
9 licensees, as the board determines is appropriate.

10 **SECTION 930.** 448.9706 (2) of the statutes is amended to read:

11 448.9706 (2) Except as provided in s. 448.9705, the renewal dates for licenses  
12 granted under this subchapter are specified determined by the department under s.  
13 440.08 (2) (a). Renewal applications shall be submitted to the department on a form  
14 provided by the department, and shall include the renewal fee specified in s. 440.08  
15 (2) (a) determined by the department under s. 440.03 (9) (a) and proof of compliance  
16 with the requirements established by rules promulgated by the board under s.  
17 448.9703 (3).

18 **SECTION 931.** 448.974 (2) (a) of the statutes is amended to read:

19 448.974 (2) (a) The renewal date for a license issued under this subchapter is  
20 specified shall be as determined by the department under s. 440.08 (2) (a), and the  
21 renewal fees for such licenses are determined by the department under s. 440.03 (9)  
22 (a). Renewal of a license is subject to par. (b).

23 **SECTION 932.** 448.975 (2) (c) 1. of the statutes is amended to read:

24 448.975 (2) (c) 1. The practice of dentistry, dental therapy, or dental hygiene  
25 within the meaning of ch. 447.

1           **SECTION 933.** 449.06 (1) of the statutes is amended to read:

2           449.06 (1) Persons practicing optometry shall, on or before the applicable  
3 renewal date ~~specified~~ determined by the department under s. 440.08 (2) ~~(a), register~~  
4 ~~with, submit a renewal application to~~ the department, pay the applicable renewal fee  
5 determined by the department under s. 440.03 (9) (a), and provide evidence  
6 satisfactory to the examining board that he or she has complied with the rules  
7 promulgated under sub. (2m).

8           **SECTION 934.** 449.06 (2m) of the statutes is amended to read:

9           449.06 (2m) The examining board shall promulgate rules requiring a person  
10 who is issued a license to practice optometry to ~~complete, during the 2-year period~~  
11 ~~immediately preceding the renewal date specified in s. 440.08 (2) (a), satisfy~~  
12 continuing education requirements. The rules shall require the completion of not  
13 less than 30 hours of continuing education per 2-year period. The rules shall include  
14 requirements that apply only to optometrists who are allowed to use topical ocular  
15 diagnostic pharmaceutical agents under s. 449.17 or who are allowed to use  
16 therapeutic pharmaceutical agents or remove foreign bodies from an eye or from an  
17 appendage to the eye under s. 449.18.

18           **SECTION 935.** 450.01 (1m) of the statutes is repealed.

19           **SECTION 936.** 450.01 (16) (h) 2. of the statutes is amended to read:

20           450.01 (16) (h) 2. The patient's advanced practice registered nurse ~~prescriber,~~  
21 if the advanced practice registered nurse ~~prescriber has entered into a written~~  
22 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.  
23 441.09 (2).

24           **SECTION 937.** 450.01 (16) (hr) 2. of the statutes is amended to read:



1           450.01 **(16)** (hr) 2. An advanced practice registered nurse ~~prescriber~~ who may  
2 issue prescription orders under s. 441.09 (2).

3           **SECTION 267e.** 450.03 (1) (e) of the statutes is amended to read:

4           450.03 **(1)** (e) Any person lawfully practicing within the scope of a license,  
5 permit, registration, certificate, or certification granted to practice as a pharmacy  
6 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to  
7 practice professional or practical nursing or nurse-midwifery under ch. 441, to  
8 practice dentistry, dental therapy, or dental hygiene or as an expanded function  
9 dental auxiliary under ch. 447, to practice medicine and surgery under ch. 448, to  
10 practice optometry under ch. 449, to practice naturopathic medicine under ch. 466,  
11 or to practice veterinary medicine under ch. 89, or as otherwise provided by statute.

12           **SECTION 267f.** 450.03 (1) (e) of the statutes, as affected by 2023 Wisconsin Act  
13 .... (this act), is amended to read:

14           450.03 **(1)** (e) Any person lawfully practicing within the scope of a license,  
15 permit, registration, certificate, or certification granted to practice as a pharmacy  
16 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to  
17 practice professional ~~or~~, practical, or advanced practice registered nursing ~~or~~  
18 nurse-midwifery under ch. 441, to practice dentistry, dental therapy, or dental  
19 hygiene or as an expanded function dental auxiliary under ch. 447, to practice  
20 medicine and surgery under ch. 448, to practice optometry under ch. 449, to practice  
21 naturopathic medicine under ch. 466, or to practice veterinary medicine under ch.  
22 89, or as otherwise provided by statute.

23           **SECTION 938.** 450.08 (1) of the statutes is amended to read:

24           450.08 **(1)** The renewal dates for all licenses and registrations granted by the  
25 board are ~~specified~~ determined by the department under s. 440.08 (2) ~~(a)~~. Except as

1 provided under sub. (2) (a), only a holder of an unexpired license or registration may  
2 engage in his or her licensed activity.

3 **SECTION 939.** 450.08 (2) (a) of the statutes is amended to read:

4 450.08 (2) (a) A pharmacist's license may be renewed by complying with  
5 continuing education requirements under s. 450.085 and paying the applicable fee  
6 determined by the department under s. 440.03 (9) (a) on or before the applicable  
7 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a).  
8 Notwithstanding s. 440.08 (3) (a), if a pharmacist fails to obtain renewal by that date,  
9 the board may suspend the pharmacist's license, and the board may require the  
10 pharmacist to pass an examination to the satisfaction of the board to restore that  
11 license.

12 **SECTION 940.** 450.08 (2) (b) of the statutes is amended to read:

13 450.08 (2) (b) A pharmacy, pharmacy technician's, manufacturer's,  
14 distributor's, or home medical oxygen provider's license or registration may be  
15 renewed by paying the applicable fee determined by the department under s. 440.03  
16 (9) (a) on or before the applicable renewal date ~~specified~~ determined by the  
17 department under s. 440.08 (2) (a).

18 **SECTION 941.** 450.085 (1) of the statutes is amended to read:

19 450.085 (1) An applicant for renewal of a license under s. 450.08 (2) (a) shall  
20 submit proof that he or she has ~~completed, within the 2-year period immediately~~  
21 ~~preceding the date of his or her application,~~ satisfied the applicable continuing  
22 education requirements established by the board under this subsection. The board  
23 shall require the completion of 30 hours of continuing education per 2-year period  
24 in courses conducted by a provider that is approved by the Accreditation Council for  
25 Pharmacy Education or in courses approved by the board. Courses specified in s.

1 450.035 (1r) and (2) are courses in continuing education for purposes of this  
2 subsection. ~~This subsection does not apply to an applicant for renewal of a license~~  
3 ~~that expires on the first renewal date after the date on which the board initially~~  
4 ~~granted the license~~ The board shall, for up to a 2-year period, exempt new licensees  
5 from the requirements under this subsection.

6 **SECTION 942.** 450.10 (3) (a) 4. of the statutes is amended to read:

7 450.10 (3) (a) 4. A dentist or dental therapist licensed under ch. 447.

8 **SECTION 943.** 450.11 (1g) (b) of the statutes is amended to read:

9 450.11 (1g) (b) A pharmacist may, upon the prescription order of a practitioner  
10 providing expedited partner therapy, as specified in s. 441.092, 448.035, or 448.9725,  
11 that complies with the requirements of sub. (1), dispense an antimicrobial drug as  
12 a course of therapy for treatment of chlamydial infections, gonorrhea, or  
13 trichomoniasis to the practitioner's patient or a person with whom the patient has  
14 had sexual contact for use by the person with whom the patient has had sexual  
15 contact. The pharmacist shall provide a consultation in accordance with rules  
16 promulgated by the board for the dispensing of a prescription to the person to whom  
17 the antimicrobial drug is dispensed. A pharmacist providing a consultation under  
18 this paragraph shall ask whether the person for whom the antimicrobial drug has  
19 been prescribed is allergic to the antimicrobial drug and advise that the person for  
20 whom the antimicrobial drug has been prescribed must discontinue use of the  
21 antimicrobial drug if the person is allergic to or develops signs of an allergic reaction  
22 to the antimicrobial drug.

23 **SECTION 944.** 450.11 (1i) (a) 1. of the statutes is amended to read:

24 450.11 (1i) (a) 1. A pharmacist may, upon and in accordance with the  
25 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.

1 441.18 (2) (a) 1., of a physician under s. 448.037 (2) (a) 1., or of a physician assistant  
2 under s. 448.9727 (2) (a) 1. that complies with the requirements of sub. (1), deliver  
3 an opioid antagonist to a person specified in the prescription order and may, upon  
4 and in accordance with the standing order of an advanced practice registered nurse  
5 ~~prescriber~~ under s. 441.18 (2) (a) 2., of a physician under s. 448.037 (2) (a) 2., or of  
6 a physician assistant under s. 448.9727 (2) (a) 2. that complies with the requirements  
7 of sub. (1), deliver an opioid antagonist to an individual in accordance with the order.  
8 The pharmacist shall provide a consultation in accordance with rules promulgated  
9 by the board for the delivery of a prescription to the person to whom the opioid  
10 antagonist is delivered.

11 **SECTION 945.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

12 450.11 (1i) (b) 2. b. An advanced practice registered nurse ~~prescriber~~ may only  
13 deliver or dispense an opioid antagonist in accordance with s. 441.18 (2) or in  
14 accordance with his or her other legal authority to dispense prescription drugs.

15 **SECTION 946.** 450.11 (7) (b) of the statutes is amended to read:

16 450.11 (7) (b) Information communicated to a physician, physician assistant,  
17 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully  
18 a prescription drug or the administration of a prescription drug is not a privileged  
19 communication.

20 **SECTION 947.** 450.11 (8) (e) of the statutes is amended to read:

21 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced  
22 practice nurse ~~prescribers~~ registered nurses.

23 **SECTION 948.** 450.13 (5) (b) of the statutes is amended to read:

1           450.13 (5) (b) The patient's advanced practice registered nurse ~~prescriber~~, if the  
2           advanced practice registered nurse ~~prescriber~~ has entered into a written agreement  
3           ~~to collaborate with a physician~~ may issue prescription orders under s. 441.09 (2).

4           **SECTION 949.** 450.135 (7) (b) of the statutes is amended to read:

5           450.135 (7) (b) The patient's advanced practice registered nurse ~~prescriber~~, if  
6           the advanced practice registered nurse ~~prescriber~~ has entered into a written  
7           ~~agreement to collaborate with a physician~~ may issue prescription orders under s.  
8           441.09 (2).

9           **SECTION 950.** 451.04 (4) of the statutes is amended to read:

10          451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted  
11          to the department on a form provided by the department on or before the applicable  
12          renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a) and  
13          shall include the applicable renewal fee determined by the department under s.  
14          440.03 (9) (a).

15          **SECTION 951.** 452.10 (2) of the statutes is repealed.

16          **SECTION 952.** 452.12 (1) of the statutes is amended to read:

17          452.12 (1) EXPIRATION. A license granted by the board entitles the holder to act  
18          as a broker or salesperson, as the case may be, until the applicable renewal date  
19          ~~specified under s. 440.08 (2) (a).~~

20          **SECTION 953.** 452.12 (5) (a) of the statutes is amended to read:

21          452.12 (5) (a) Renewal applications for all licenses shall be submitted with the  
22          applicable renewal fee determined by the department under s. 440.03 (9) (a) on or  
23          before the applicable renewal date ~~specified~~ determined by the department under s.  
24          440.08 (2) (a). The department shall pay \$10 of each renewal fee received under this

1 paragraph to the Board of Regents of the University of Wisconsin System for  
2 research and educational, public outreach, and grant activities under s. 36.25 (34).

3 **SECTION 954.** 452.132 (2) (c) of the statutes is amended to read:

4 452.132 (2) (c) Before a licensee becomes associated with the firm and at the  
5 beginning of each biennial licensure period, ensure that the licensee holds a valid  
6 license.

7 **SECTION 955.** 454.06 (8) of the statutes is amended to read:

8 454.06 (8) EXPIRATION AND RENEWAL. The renewal date for licenses issued under  
9 subs. (2) to (6) is specified shall be as determined by the department under s. 440.08  
10 (2) (a), and the renewal fees for such licenses are determined by the department  
11 under s. 440.03 (9) (a). The examining board may not renew a license issued to a  
12 person under subs. (2) to (6) unless the person certifies to the examining board that  
13 the person has reviewed the current digest under s. 454.125.

14 **SECTION 956.** 454.08 (9) of the statutes is amended to read:

15 454.08 (9) The renewal date for licenses issued under this section is specified  
16 shall be as determined by the department under s. 440.08 (2) (a), and the renewal  
17 fee for such licenses is determined by the department under s. 440.03 (9) (a).

18 **SECTION 957.** 454.23 (5) of the statutes is amended to read:

19 454.23 (5) EXPIRATION AND RENEWAL. The renewal date for a license granted  
20 under sub. (2) is specified shall be as determined by the department under s. 440.08  
21 (2) (a), and the renewal fee for that license is determined by the department under  
22 s. 440.03 (9) (a). The department may not renew a license granted to a person under  
23 this section unless the person certifies to the department that the person has  
24 reviewed the current digest under s. 454.267.

25 **SECTION 958.** 454.25 (9) of the statutes is amended to read:

1           454.25 (9) The renewal date for a barbering establishment license ~~is specified~~  
2           shall be as determined by the department under s. 440.08 (2) (a), and the renewal  
3           fee for a barbering establishment license is determined by the department under s.  
4           440.03 (9) (a).

5           **SECTION 959.** 455.06 (1) (a) of the statutes is amended to read:

6           455.06 (1) (a) Except as provided in par. (b), the renewal dates for licenses  
7           issued under this subchapter or under s. 455.04 (4), 2019 stats., ~~are specified~~ shall  
8           be as determined by the department under s. 440.08 (2) (a), and the renewal fee for  
9           such licenses is determined by the department under s. 440.03 (9) (a).

10          **SECTION 960.** 455.06 (1) (b) of the statutes is amended to read:

11          455.06 (1) (b) A license issued under s. 455.04 (2) is valid for 2 years or until  
12          the individual obtains a license under s. 455.04 (1) and may not be renewed, except  
13          that the examining board may promulgate rules specifying circumstances in which  
14          the examining board, in cases of hardship, may allow an individual to renew a license  
15          issued under s. 455.04 (2). Notwithstanding sub. (2), ~~an individual holding a license~~  
16          ~~issued under s. 455.04 (2) is not required to complete continuing education~~ the  
17          examining board shall, for up to a 2-year period, exempt new licensees from the  
18          requirements under sub. (2).

19          **SECTION 961.** 455.065 (7) of the statutes is amended to read:

20          455.065 (7) Grant an exemption from the continuing education requirements  
21          under this section to a psychologist who certifies to the examining board that he or  
22          she has permanently retired from the practice of psychology. A psychologist who has  
23          been granted an exemption under this subsection may not return to active practice  
24          without submitting evidence satisfactory to the examining board of having

1 completed the required continuing education credits within the ~~2~~-year period  
2 specified by the board prior to the return to the practice of psychology.

3 **SECTION 962.** 456.07 (title) of the statutes is repealed and recreated to read:

4 **456.07 (title) Renewal.**

5 **SECTION 963.** 456.07 (1) and (3) of the statutes are repealed.

6 **SECTION 964.** 456.07 (2) of the statutes is amended to read:

7 456.07 (2) ~~The application for a new certificate of registration~~ The renewal date  
8 for a license issued under this subchapter shall be as determined by the department  
9 under s. 440.08 (2). A renewal application shall include the applicable renewal fee  
10 determined by the department under s. 440.03 (9) (a), a report of any facts requested  
11 by the examining board on forms provided for such purpose, and evidence  
12 satisfactory to the examining board that during the biennial period immediately  
13 preceding application for registration the applicant has attended a continuing  
14 education program or course of study. During the time between initial licensure and  
15 commencement of a full 2-year licensure period, new licensees shall not be required  
16 to meet continuing education requirements. All registration fees are payable on or  
17 before the applicable renewal date specified under s. 440.08 (2) (a) The examining  
18 board shall, for up to a 2-year period, exempt new licensees from the continuing  
19 education requirements under this subsection.

20 **SECTION 965.** 456.07 (5) of the statutes is amended to read:

21 456.07 (5) Only an individual who has qualified as a ~~is~~ licensed and registered  
22 as a nursing home administrator under this chapter and who holds a valid current  
23 registration certificate under this section for the current registration period may use  
24 the title “Nursing Home Administrator”, and the abbreviation “N.H.A.” after the  
25 person’s name. No other person may use or be designated by such title or such



1 abbreviation or any other words, letters, sign, card or device tending to or intended  
2 to indicate that the person is a licensed ~~and registered~~ nursing home administrator.

3 **SECTION 966.** 457.20 (2) of the statutes is amended to read:

4 457.20 (2) The renewal dates for certificates and licenses granted under this  
5 chapter, other than training certificates and licenses or temporary certificates or  
6 licenses, ~~are specified~~ shall be as determined by the department under s. 440.08 (2)  
7 (a).

8 **SECTION 967.** 457.22 (2) of the statutes is amended to read:

9 457.22 (2) The rules promulgated under sub. (1) may not require an individual  
10 to complete more than 30 hours of continuing education programs or courses of study  
11 ~~in order to qualify for renewal per 2-year period~~. The appropriate section of the  
12 examining board may waive all or part of the requirements established in rules  
13 promulgated under this section if it determines that prolonged illness, disability, or  
14 other exceptional circumstances have prevented the individual from completing the  
15 requirements.

16 **SECTION 968.** 458.085 (3) of the statutes is amended to read:

17 458.085 (3) Continuing education requirements for ~~renewal of certificates~~  
18 ~~issued~~ individuals certified under this subchapter.

19 **SECTION 969.** 458.09 (3) of the statutes is amended to read:

20 458.09 (3) The number of hours of attendance at and completion of continuing  
21 education programs or courses of study required under the rules promulgated under  
22 s. 458.085 (3) shall be reduced by one hour for each hour of attendance at and  
23 completion of, within the ~~2 years immediately preceding the date on which the~~  
24 ~~renewal application is submitted~~ current reporting period, continuing education  
25 programs or courses of study that the applicant has attended and completed in order

1 to continue to qualify for employment as an assessor and that the department  
2 determines is substantially equivalent to attendance at and completion of continuing  
3 education programs or courses of study for certified general appraisers, certified  
4 residential appraisers or licensed appraisers, as appropriate.

5 **SECTION 970.** 458.11 of the statutes is amended to read:

6 **458.11 Expiration and renewal.** Renewal applications shall be submitted  
7 to the department on a form provided by the department on or before the applicable  
8 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a) and  
9 shall include the applicable renewal fee determined by the department under s.  
10 440.03 (9) (a). Renewal of an appraiser certificate automatically renews the  
11 individual's appraiser license without payment of the renewal fee for the appraiser  
12 license or completion of any additional continuing education requirements that  
13 would otherwise be required for renewal of the appraiser license. Renewal  
14 applications shall be accompanied by proof of completion of the continuing education  
15 requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989  
16 stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew  
17 a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless  
18 the holder of the certificate submits evidence satisfactory to the department that he  
19 or she has successfully completed the applicable educational requirements specified  
20 in rules promulgated under s. 458.085 (1) and the department may not renew a  
21 certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the  
22 holder of the certificate submits evidence satisfactory to the department that he or  
23 she has successfully completed the applicable education and experience  
24 requirements specified in rules promulgated under s. 458.085 (1) and (2).

25 **SECTION 971.** 458.13 of the statutes is amended to read:

1           **458.13 Continuing education requirements.** At the time of renewal of a  
2 certificate issued under this subchapter, each applicant shall submit proof that,  
3 ~~within the 2 years immediately preceding the date on which the renewal application~~  
4 ~~is submitted~~, he or she has satisfied the continuing education requirements specified  
5 in the rules promulgated under s. 458.085 (3).

6           **SECTION 972.** 458.33 (5) of the statutes is amended to read:

7           458.33 (5) RENEWALS. A licensed appraisal management company shall submit  
8 a renewal application, along with the applicable renewal fee determined by the  
9 department under s. 440.03 (9) (a), but not to exceed \$2,000, to the department on  
10 a form prescribed by the department by the applicable renewal date ~~specified~~  
11 determined by the department under s. 440.08 (2) (a). A renewal under this  
12 subsection is subject to sub. (4).

13           **SECTION 973.** 459.09 (1) (intro.) of the statutes is amended to read:

14           459.09 (1) (intro.) Each person issued a license under this subchapter shall, on  
15 or before the applicable renewal date ~~specified~~ determined by the department under  
16 s. 440.08 (2) (a), do all of the following:

17           **SECTION 974.** 459.09 (1) (b) of the statutes is amended to read:

18           459.09 (1) (b) Submit with the renewal application proof that he or she  
19 ~~completed, within the 2 years immediately preceding the date of his or her~~  
20 ~~application, 20 hours of~~ satisfied applicable continuing education programs or  
21 ~~courses of study approved or required under~~ requirements specified in rules  
22 promulgated under s. 459.095. ~~This paragraph does not apply to an applicant for~~  
23 ~~renewal of a license that expires on the first renewal date after the date on which the~~  
24 ~~examining board initially granted the license.~~

25           **SECTION 975.** 459.095 (1) of the statutes is amended to read:

1           459.095 (1) Promulgate rules establishing continuing education requirements  
2 for individuals licensed under s. 459.09. The rules shall require the completion of  
3 20 hours per 2-year period in programs or courses of study approved under this  
4 subsection. The rules shall establish the criteria for approval of continuing  
5 education programs or courses of study required for renewal of a license under s.  
6 459.09 and for approval of the sponsors and cosponsors of continuing education  
7 programs or courses of study. The examining board shall, for up to a 2-year period,  
8 exempt new licensees from the requirements under this section.

9           **SECTION 976.** 459.24 (5) (intro.) of the statutes is amended to read:

10           459.24 (5) EXPIRATION AND RENEWAL. (intro.) The renewal dates for licenses  
11 granted under this subchapter, other than temporary licenses granted under sub.  
12 (6), ~~are specified in~~ shall be as determined by the department under s. 440.08 (2) (a).  
13 Renewal applications shall be submitted to the department on a form provided by the  
14 department and shall include all of the following:

15           **SECTION 977.** 459.24 (5) (b) of the statutes is amended to read:

16           459.24 (5) (b) Proof that the applicant ~~completed, within the 2 years~~  
17 ~~immediately preceding the date of his or her application, 20 hours of~~ satisfied  
18 continuing education programs or courses of study approved or required under  
19 requirements specified in rules promulgated under sub. (5m). ~~This paragraph does~~  
20 ~~not apply to an applicant for renewal of a license that expires on the first renewal~~  
21 ~~date after the date on which the examining board initially granted the license.~~

22           **SECTION 978.** 459.24 (5m) (a) 1. of the statutes is amended to read:

23           459.24 (5m) (a) 1. Promulgate rules establishing continuing education  
24 requirements for individuals licensed under this subchapter. The rules shall require  
25 the completion of 20 hours in programs or courses of study approved under this

1 subsection. The examining board shall, for up to a 2-year period, exempt new  
2 licensees from the requirements under this subdivision. The rules shall establish the  
3 criteria for approval of continuing education programs or courses of study required  
4 for renewal of a license under sub. (5) and the criteria for approval of the sponsors  
5 and cosponsors of continuing education programs or courses of study.

6 **SECTION 979.** 460.07 (2) (intro.) of the statutes is amended to read:

7 460.07 (2) (intro.) Renewal applications shall be submitted to the department  
8 on a form provided by the department on or before the applicable renewal date  
9 specified determined by the department under s. 440.08 (2) (a) and shall include all  
10 of the following:

11 **SECTION 980.** 460.10 (1) (a) of the statutes is amended to read:

12 460.10 (1) (a) Requirements and procedures for a license holder to complete  
13 continuing education programs or courses of study to qualify for renewal of his or her  
14 license. The rules promulgated under this paragraph may not require a license  
15 holder to complete more than 24 hours of continuing education programs or courses  
16 of study ~~in order to qualify for renewal of his or her license~~ per 2-year period.

17 **SECTION 981.** 462.02 (2) (d) of the statutes is amended to read:

18 462.02 (2) (d) A dentist licensed under s. 447.04 (1), a dental therapist licensed  
19 under s. 447.04 (1m), a dental hygienist licensed under s. 447.04 (2), a person  
20 certified as an expanded function dental auxiliary under s. 447.04 (3), or a person  
21 under the direct supervision of a dentist.

22 **SECTION 982.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251, is  
23 amended to read:

24 **462.04 Prescription or order required.** A person who holds a license or  
25 limited X-ray machine operator permit under this chapter may not use diagnostic

1 X-ray equipment on humans for diagnostic purposes unless authorized to do so by  
2 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic  
3 doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a dental  
4 therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a  
5 chiropractor licensed under s. 446.02, an advanced practice nurse certified under s.  
6 441.16 (2), a physician assistant licensed under s. 448.974, or, subject to s. 448.56 (7)  
7 (a), a physical therapist who is licensed under s. 448.53 or who holds a compact  
8 privilege under subch. XI of ch. 448.

9 **SECTION 312e.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251  
10 and 2023 Wisconsin Act .... (this act), is amended to read:

11 **462.04 Prescription or order required.** A person who holds a license or  
12 limited X-ray machine operator permit under this chapter may not use diagnostic  
13 X-ray equipment on humans for diagnostic purposes unless authorized to do so by  
14 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic  
15 doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a dental  
16 therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a  
17 chiropractor licensed under s. 446.02, an advanced practice registered nurse  
18 certified licensed under s. ~~441.16 (2)~~ 441.09, a physician assistant licensed under s.  
19 448.974, or, subject to s. 448.56 (7) (a), a physical therapist who is licensed under s.  
20 448.53 or who holds a compact privilege under subch. XI of ch. 448.

21 **SECTION 983.** 462.05 (1) of the statutes is amended to read:

22 462.05 (1) The renewal date for licenses and limited X-ray machine operator  
23 permits granted under this chapter ~~is specified in~~ shall be as determined by the  
24 department under s. 440.08 (2) ~~(a)~~. Renewal applications shall be submitted to the

1 department on a form provided by the department and shall include the renewal fee  
2 determined by the department under s. 440.03 (9) (a).

3 **SECTION 984.** 463.10 (5) of the statutes is amended to read:

4 463.10 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist who is  
5 licensed under s. 447.03 (1) or to a dental therapist, or physician who tattoos or  
6 offers to tattoo a person in the course of the dentist's, dental therapist's, or physician's  
7 professional practice.

8 **SECTION 985.** 463.12 (5) of the statutes is amended to read:

9 463.12 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist who is  
10 licensed under s. 447.03 (1) or to a dental therapist, or physician who pierces the  
11 body of or offers to pierce the body of a person in the course of the dentist's, dental  
12 therapist's, or physician's professional practice.

13 **SECTION 986.** 466.04 (3) (a) (intro.) of the statutes is amended to read:

14 466.04 (3) (a) (intro.) The renewal date for licenses granted under this chapter  
15 is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a).  
16 Renewal applications shall be submitted to the department on a form provided by the  
17 department. The application shall include all of the following in order for the license  
18 to be renewed:

19 **SECTION 987.** 470.045 (3) (b) of the statutes is amended to read:

20 470.045 (3) (b) The renewal date for certificates of authorization under this  
21 section is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a),  
22 and the renewal fee for such certificates is determined by the department under s.  
23 440.03 (9) (a).

24 **SECTION 988.** 470.07 of the statutes is amended to read:

1           **470.07 Renewal of licenses.** The renewal dates for licenses granted under  
2 this chapter ~~are specified~~ shall be as determined by the department under s. 440.08  
3 (2) ~~(a)~~. Renewal applications shall be submitted to the department on a form  
4 provided by the department and shall include the renewal fee determined by the  
5 department under s. 440.03 (9) (a) and evidence satisfactory to the appropriate  
6 section of the examining board that the applicant has completed any continuing  
7 education requirements specified in rules promulgated under s. 470.03 (2).

8           **SECTION 989.** 480.08 (5) of the statutes is amended to read:

9           **480.08 (5) EXPIRATION AND RENEWAL.** The renewal date for certificates granted  
10 under this chapter, other than temporary certificates granted under sub. (7), is  
11 ~~specified~~ shall be as determined by the department under s. 440.08 (2) ~~(a)~~, and the  
12 renewal fee for certificates granted under this chapter, other than temporary  
13 certificates granted under sub. (7), is determined by the department under s. 440.03  
14 (9) (a). Renewal applications shall include evidence satisfactory to the department  
15 that the applicant holds a current permit issued under s. 77.52 (9). A renewal  
16 application for an auctioneer certificate shall be accompanied by proof of completion  
17 of continuing education requirements under sub. (6).

18           **SECTION 990.** 632.87 (4) of the statutes is amended to read:

19           **632.87 (4)** No policy, plan or contract may exclude coverage for diagnosis and  
20 treatment of a condition or complaint by a licensed dentist or dental therapist within  
21 the scope of the dentist's or dental therapist's license, if the policy, plan or contract  
22 covers diagnosis and treatment of the condition or complaint by another health care  
23 provider, as defined in s. 146.81 (1) (a) to (p).

24           **SECTION 991.** 655.001 (1) of the statutes is renumbered 655.001 (1r).

25           **SECTION 992.** 655.001 (1g) of the statutes is created to read:



1           655.001 (1g) “Advanced practice registered nurse” means an individual who  
2 is licensed under s. 441.09, who has qualified to practice independently in his or her  
3 recognized role under s. 441.09 (3m) (b), and who practices advanced practice  
4 registered nursing, as defined under s. 441.001 (1c), outside of a collaborative  
5 relationship with a physician or dentist, as described under s. 441.09 (3m) (a) 1., or  
6 other employment relationship. “Advanced practice registered nurse” does not  
7 include an individual who only engages in the practice of a certified nurse-midwife,  
8 as defined under s. 441.001 (3c).

9           **SECTION 993.** 655.001 (7t) of the statutes is amended to read:

10           655.001 (7t) “Health care practitioner” means a health care professional, as  
11 defined in s. 180.1901 (1m), who is an employee of a health care provider described  
12 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care  
13 services that are not ~~in collaboration with a physician under s. 441.15 (2) (b) or under~~  
14 ~~the direction and supervision of a physician or nurse anesthetist~~ advanced practice  
15 registered nurse.

16           **SECTION 994.** 655.001 (9) of the statutes is repealed.

17           **SECTION 995.** 655.002 (1) (a) of the statutes is amended to read:

18           655.002 (1) (a) A physician or ~~a nurse anesthetist~~ an advanced practice  
19 registered nurse for whom this state is a principal place of practice and who practices  
20 his or her profession in this state more than 240 hours in a fiscal year.

21           **SECTION 996.** 655.002 (1) (b) of the statutes is amended to read:

22           655.002 (1) (b) A physician or ~~a nurse anesthetist~~ an advanced practice  
23 registered nurse for whom Michigan is a principal place of practice, if all of the  
24 following apply:

1           1. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse is a  
2 resident of this state.

3           2. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse  
4 practices his or her profession in this state or in Michigan or a combination of both  
5 more than 240 hours in a fiscal year.

6           3. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse  
7 performs more procedures in a Michigan hospital than in any other hospital. In this  
8 subdivision, "Michigan hospital" means a hospital located in Michigan that is an  
9 affiliate of a corporation organized under the laws of this state that maintains its  
10 principal office and a hospital in this state.

11           **SECTION 997.** 655.002 (1) (c) of the statutes is amended to read:

12           655.002 (1) (c) A physician or ~~nurse-anesthetist~~ an advanced practice  
13 registered nurse who is exempt under s. 655.003 (1) or (3), but who practices his or  
14 her profession outside the scope of the exemption and who fulfills the requirements  
15 under par. (a) in relation to that practice outside the scope of the exemption. For a  
16 physician or ~~a nurse-anesthetist~~ an advanced practice registered nurse who is  
17 subject to this chapter under this paragraph, this chapter applies only to claims  
18 arising out of practice that is outside the scope of the exemption under s. 655.003 (1)  
19 or (3).

20           **SECTION 998.** 655.002 (1) (d) of the statutes is amended to read:

21           655.002 (1) (d) A partnership comprised of physicians or ~~nurse-anesthetists~~  
22 advanced practice registered nurses and organized and operated in this state for the  
23 primary purpose of providing the medical services of physicians or ~~nurse~~  
24 ~~anesthetists~~ advanced practice registered nurses.

25           **SECTION 999.** 655.002 (1) (e) of the statutes is amended to read:

1           655.002 (1) (e) A corporation organized and operated in this state for the  
2 primary purpose of providing the medical services of physicians or nurse  
3 ~~anesthetists~~ advanced practice registered nurses.

4           **SECTION 1000.** 655.002 (1) (em) of the statutes is amended to read:

5           655.002 (1) (em) Any organization or enterprise not specified under par. (d) or  
6 (e) that is organized and operated in this state for the primary purpose of providing  
7 the medical services of physicians or ~~nurse anesthetists~~ advanced practice registered  
8 nurses.

9           **SECTION 1001.** 655.002 (2) (a) of the statutes is amended to read:

10          655.002 (2) (a) A physician or ~~nurse anesthetist~~ advanced practice registered  
11 nurse for whom this state is a principal place of practice but who practices his or her  
12 profession fewer than 241 hours in a fiscal year, for a fiscal year, or a portion of a fiscal  
13 year, during which he or she practices his or her profession.

14          **SECTION 1002.** 655.002 (2) (b) of the statutes is amended to read:

15          655.002 (2) (b) Except as provided in sub. (1) (b), a physician or ~~nurse~~  
16 ~~anesthetist~~ advanced practice registered nurse for whom this state is not a principal  
17 place of practice, for a fiscal year, or a portion of a fiscal year, during which he or she  
18 practices his or her profession in this state. For a health care provider who elects to  
19 be subject to this chapter under this paragraph, this chapter applies only to claims  
20 arising out of practice that is in this state and that is outside the scope of an  
21 exemption under s. 655.003 (1) or (3).

22          **SECTION 1003.** 655.003 (1) of the statutes is amended to read:

23          655.003 (1) A physician or ~~a nurse anesthetist~~ an advanced practice registered  
24 nurse who is a state, county or municipal employee, or federal employee or contractor

1 covered under the federal tort claims act, as amended, and who is acting within the  
2 scope of his or her employment or contractual duties.

3 **SECTION 1004.** 655.003 (3) of the statutes is amended to read:

4 655.003 (3) Except for a physician or ~~nurse-anesthetist~~ an advanced practice  
5 registered nurse who meets the criteria under s. 146.89 (5) (a), a physician or ~~a nurse~~  
6 ~~anesthetist~~ an advanced practice registered nurse who provides professional  
7 services under the conditions described in s. 146.89, with respect to those  
8 professional services provided by the physician or ~~nurse-anesthetist~~ advanced  
9 practice registered nurse for which he or she is covered by s. 165.25 and considered  
10 an agent of the department, as provided in s. 165.25 (6) (b).

11 **SECTION 1005.** 655.005 (2) (a) of the statutes is amended to read:

12 655.005 (2) (a) An employee of a health care provider if the employee is a  
13 physician or ~~a nurse-anesthetist~~ an advanced practice registered nurse or is a health  
14 care practitioner who is providing health care services that are not ~~in collaboration~~  
15 ~~with a physician under s. 441.15 (2) (b)~~ or under the direction and supervision of a  
16 physician or ~~nurse-anesthetist~~ advanced practice registered nurse.

17 **SECTION 1006.** 655.005 (2) (b) of the statutes is amended to read:

18 655.005 (2) (b) A service corporation organized under s. 180.1903 by health care  
19 professionals, as defined under s. 180.1901 (1m), if the board of governors determines  
20 that it is not the primary purpose of the service corporation to provide the medical  
21 services of physicians or ~~nurse-anesthetists~~ advanced practice registered nurses.  
22 The board of governors may not determine under this paragraph that it is not the  
23 primary purpose of a service corporation to provide the medical services of physicians  
24 or ~~nurse-anesthetists~~ advanced practice registered nurses unless more than 50

1 percent of the shareholders of the service corporation are neither physicians nor  
2 ~~nurse anesthetists~~ advanced practice registered nurses.

3 **SECTION 1007.** 655.23 (5m) of the statutes is amended to read:

4 655.23 (5m) The limits set forth in sub. (4) shall apply to any joint liability of  
5 a physician or ~~nurse anesthetist~~ an advanced practice registered nurse and his or her  
6 corporation, partnership, or other organization or enterprise under s. 655.002 (1) (d),  
7 (e), or (em).

8 **SECTION 1008.** 655.27 (3) (a) 4. of the statutes is amended to read:

9 655.27 (3) (a) 4. For a health care provider described in s. 655.002 (1) (d), (e),  
10 (em), or (f), risk factors and past and prospective loss and expense experience  
11 attributable to employees of that health care provider other than employees licensed  
12 as a physician or ~~nurse anesthetist~~ an advanced practice registered nurse.

13 **SECTION 1009.** 655.27 (3) (b) 2m. of the statutes is amended to read:

14 655.27 (3) (b) 2m. In addition to the fees and payment classifications described  
15 under subds. 1. and 2., the commissioner, after approval by the board of governors,  
16 may establish a separate payment classification for physicians satisfying s. 655.002  
17 (1) (b) and a separate fee for ~~nurse anesthetists~~ advanced practice registered nurses  
18 satisfying s. 655.002 (1) (b) which take into account the loss experience of health care  
19 providers for whom Michigan is a principal place of practice.

20 **SECTION 1010.** 655.275 (2) of the statutes is amended to read:

21 655.275 (2) APPOINTMENT. The board of governors shall appoint the members  
22 of the council. Section 15.09, except s. 15.09 (4) and (8), does not apply to the council.  
23 The board of governors shall designate the chairperson, who shall be a physician, the  
24 vice chairperson, and the secretary of the council and the terms to be served by  
25 council members. The council shall consist of 5 or 7 persons, not more than 3 of whom

1 are physicians who are licensed and in good standing to practice medicine in this  
2 state and one of whom is ~~a nurse anesthetist~~ an advanced practice registered nurse  
3 who is licensed and in good standing to practice nursing in this state. The  
4 chairperson or another peer review council member designated by the chairperson  
5 shall serve as an ex officio nonvoting member of the medical examining board and  
6 may attend meetings of the medical examining board, as appropriate.

7 **SECTION 1011.** 655.275 (5) (b) 2. of the statutes is amended to read:

8 655.275 (5) (b) 2. If a claim was paid for damages arising out of the rendering  
9 of care by ~~a nurse anesthetist~~ an advanced practice registered nurse, with at least  
10 one nurse anesthetist advanced practice registered nurse.

11 **SECTION 1012.** 710.02 (1) of the statutes is renumbered 710.02 (1r) and  
12 amended to read:

13 710.02 (1r) LIMITATION. The following persons may not acquire, own, or hold  
14 any interest, directly or indirectly, except an interest used to secure repayment of a  
15 debt incurred in good faith, in ~~more than 640 acres of land in this state~~ in excess of  
16 the following amounts:

17 (a) ~~Aliens~~ Except as provided in par. (d), aliens not residents of a state of the  
18 United States, not more than 640 acres.

19 (b) ~~Corporations~~ Except as provided in par. (d), corporations not created under  
20 the laws of the United States or a state of the United States, not more than 640 acres.

21 (c) 1. ~~Corporations~~ Except as provided in par. (d), corporations, limited liability  
22 companies, partnerships, or associations having more than 20 percent of their stock,  
23 securities, or other indicia of ownership held or owned by persons under par. (a) or  
24 (b), not more than 640 acres.

1           2. ~~Trusts~~ Except as provided in par. (d), trusts having more than 20 percent of  
2 the value of their assets held for the benefit of persons under par. (a) or (b), not more  
3 than 640 acres.

4           **SECTION 1013.** 710.02 (1g) of the statutes is created to read:

5           710.02 (1g) DEFINITION. In this section, “foreign adversary” means a foreign  
6 government or nongovernment person determined by the federal secretary of  
7 commerce to have engaged in a long-term pattern or serious instances of conduct  
8 significantly adverse to the national security of the United States or security and  
9 safety of U.S. persons.

10          **SECTION 1014.** 710.02 (1r) (d) of the statutes is created to read:

11          710.02 (1r) (d) Foreign adversaries may not acquire, own, or hold any land in  
12 this state.

13          **SECTION 1015.** 710.02 (2) (intro.) of the statutes is amended to read:

14          710.02 (2) EXCEPTIONS. (intro.) Except as provided in sub. (3), sub. (1) (1r) does  
15 not apply to:

16          **SECTION 1016.** 710.02 (3) of the statutes is amended to read:

17          710.02 (3) USE OF LAND RESTRICTED. ~~Land in excess of 640 acres, acquired by~~  
18 ~~a~~ A person listed under sub. (1) (1r), other than a person listed under sub. (2) (a), (b),  
19 or (c), that acquires land in excess of the amount allowed under sub. (1r) for an  
20 activity listed under sub. (2) (d), (e), (f), or (g), may not be used directly or indirectly  
21 by that person use the land for any activity not listed under sub. (2) (d), (e), (f), or (g).  
22 Pending the conversion and development of the land for a purpose ~~permitted~~ allowed  
23 under sub. (2) (d), (e), (f), or (g), ~~it the person may be used~~ use the land for agriculture  
24 or forestry purposes under a lease to a person not subject to sub. (1) (1r). Products  
25 of the land may be sold by the lessee to the owner of the land.

1           **SECTION 1017.** 710.02 (5) (a) (intro.) of the statutes is amended to read:

2           710.02 (5) (a) (intro.) Interests exceeding 640-acres the amounts allowed under  
3 sub. (1r) that are acquired by persons under sub. ~~(1)~~ (1r) shall be divested at the  
4 discretion of the holder to comply with sub. ~~(1)~~ (1r) within 4 years after:

5           **SECTION 1018.** 710.02 (5) (a) 1. of the statutes is amended to read:

6           710.02 (5) (a) 1. Acquiring the interest, if the interest is described under sub.  
7 (2) (a) and the person is subject to sub. ~~(1)~~ (1r) (a) or (b).

8           **SECTION 1019.** 710.02 (5) (a) 2. of the statutes is amended to read:

9           710.02 (5) (a) 2. Acquiring the interest or becoming subject to sub. ~~(1)~~ (1r) (c),  
10 whichever is later, if the person is subject to sub. ~~(1)~~ (1r) (c).

11           **SECTION 1020.** 710.02 (6) of the statutes is amended to read:

12           710.02 (6) FORFEITURES. Interests in lands in excess of 640-acres the amounts  
13 allowed under sub. (1r) that are acquired or held in violation of this section are  
14 forfeited to the state. The holder of the interest shall determine which lands are to  
15 be forfeited to comply with sub. ~~(1)~~ (1r).

16           **SECTION 1021.** 710.02 (9) of the statutes is renumbered 710.02 (9) (a) and  
17 amended to read:

18           710.02 (9) (a) ~~This~~ Except as provided in par. (b), this section applies to  
19 interests in land acquired after July 1, 1982. No interest acquired before July 1,  
20 1982, is subject to divestiture or forfeiture under this section.

21           **SECTION 1022.** 710.02 (9) (b) of the statutes is created to read:

22           710.02 (9) (b) Subsection (1r) (d) applies to interests in land acquired by a  
23 foreign adversary on or after the first day of the first month beginning after the  
24 effective date of this paragraph .... [LRB inserts date], or the date on which the  
25 federal secretary of commerce determines the person is a foreign adversary,



1       whichever occurs later. No interest acquired by the foreign adversary before the date  
2       on which sub. (1r) (d) first applies, as specified in this paragraph, is subject to  
3       divestiture or forfeiture under this section.

4               **SECTION 1023.** 895.48 (1m) (a) (intro.) of the statutes is amended to read:

5               895.48 **(1m)** (a) (intro.) Except as provided in par. (b), any physician,  
6       naturopathic doctor, physician assistant, podiatrist, or athletic trainer licensed  
7       under ch. 448, chiropractor licensed under ch. 446, dentist or dental therapist  
8       licensed under ch. 447, emergency medical services practitioner licensed under s.  
9       256.15, emergency medical responder certified under s. 256.15 (8), registered nurse  
10      licensed under ch. 441, or a massage therapist or bodywork therapist licensed under  
11      ch. 460 who renders voluntary health care to a participant in an athletic event or  
12      contest sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private  
13      school, as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a  
14      public agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1)  
15      (c), is immune from civil liability for his or her acts or omissions in rendering that  
16      care if all of the following conditions exist:

17              **SECTION 1024.** 895.48 (1m) (a) 2. of the statutes is amended to read:

18              895.48 **(1m)** (a) 2. The physician, naturopathic doctor, podiatrist, athletic  
19      trainer, chiropractor, dentist, dental therapist, emergency medical services  
20      practitioner, as defined in s. 256.01 (5), emergency medical responder, as defined in  
21      s. 256.01 (4p), physician assistant, registered nurse, massage therapist or bodywork  
22      therapist does not receive compensation for the health care, other than  
23      reimbursement for expenses.

24              **SECTION 1025.** 941.315 (5) of the statutes is amended to read:

1           941.315 (5) (a) Subsection (2) does not apply to a person to whom nitrous oxide  
2 is administered for the purpose of providing medical or dental care, if the nitrous  
3 oxide is administered by a physician ~~or, dentist, or dental therapist~~ or at the direction  
4 or under the supervision of a physician ~~or, dentist, or dental therapist~~.

5           (b) Subsection (3) does not apply to the administration of nitrous oxide by a  
6 physician ~~or, dentist, or dental therapist~~, or by another person at the direction or  
7 under the supervision of a physician ~~or, dentist, or dental therapist~~, for the purpose  
8 of providing medical or dental care.

9           (c) Subsection (3) (c) does not apply to the sale to a hospital, health care clinic  
10 or other health care organization or to a physician ~~or, dentist, or dental therapist~~ of  
11 any object used, designed for use or primarily intended for use in administering  
12 nitrous oxide for the purpose of providing medical or dental care.

13           **SECTION 1026.** 961.01 (19) (a) of the statutes is amended to read:

14           961.01 (19) (a) A physician, advanced practice registered nurse, dentist,  
15 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.975  
16 (1) (b), a physician assistant, or other person licensed, registered, certified or  
17 otherwise permitted to distribute, dispense, conduct research with respect to,  
18 administer or use in teaching or chemical analysis a controlled substance in the  
19 course of professional practice or research in this state.

20           **SECTION 1027.** 961.395 of the statutes is amended to read:

21           **961.395 Limitation on advanced practice registered nurses.** (1) An  
22 advanced practice registered nurse who is ~~certified~~ may issue prescription orders  
23 under s. ~~441.16~~ 441.09 (2) may prescribe controlled substances only as permitted by  
24 the rules promulgated under s. ~~441.16 (3)~~ 441.09 (6) (a) 4.

1           (2) An advanced practice registered nurse certified under s. 441.16 who may  
2 issue prescription orders under s. 441.09 (2) shall include with each prescription  
3 order the advanced practice nurse prescriber certification license number issued to  
4 him or her by the board of nursing.

5           (3) An advanced practice registered nurse certified under s. 441.16 who may  
6 issue prescription orders under s. 441.09 (2) may dispense a controlled substance  
7 only by prescribing or administering the controlled substance or as otherwise  
8 permitted by the rules promulgated under s. 441.16 (3) 441.09 (6) (a) 4.

9           **SECTION 1028.** 995.70 of the statutes is created to read:

10           **995.70 Eligibility of certain individuals who are not U.S. citizens to**  
11 **receive professional licenses.** (1) In this section, “professional license” means  
12 a license, registration, certification, or other approval to perform certain work tasks,  
13 whether issued by the state or a local governmental entity.

14           (2) Pursuant to 8 USC 1621 (d), an individual who is not a U.S. citizen is not  
15 ineligible to receive any professional license issued in this state because of the  
16 individual’s citizenship status.

17           (3) Nothing in this section affects any requirement or qualification for an  
18 individual to obtain a professional license that is not related to the citizenship status  
19 of the individual.

20           **SECTION 9138. Nonstatutory provisions; Safety and Professional**  
21 **Services.**

22           (1) DENTAL THERAPIST LICENSURE.

23           (a) The dentistry examining board shall send a notice to the legislative  
24 reference bureau for publication in the Wisconsin Administrative Register when the

1 board determines that 50 or more individuals are currently licensed as dental  
2 therapists in this state under s. 447.04 (1m).

3 (b) 1. The dentistry examining board shall promulgate emergency rules under  
4 s. 227.24 that are necessary to implement this act. Notwithstanding s. 227.24 (1) (c)  
5 and (2), emergency rules promulgated under this subdivision remain in effect for 2  
6 years, or until the date on which permanent rules take effect, whichever is sooner.  
7 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide  
8 evidence that promulgating a rule under this subdivision as an emergency rule is  
9 necessary for the preservation of the public peace, health, safety, or welfare and is  
10 not required to provide a finding of emergency for a rule promulgated under this  
11 subdivision.

12 2. The dentistry examining board shall present a statement of scope for  
13 permanent and emergency rules required to implement this act to the department  
14 of administration under s. 227.135 (2) no later than the 30th day after the effective  
15 date of this subdivision. Notwithstanding s. 227.135 (2), if the governor does not  
16 disapprove the statement of scope by the 30th day after the statement is presented  
17 to the department of administration, the statement is considered to be approved by  
18 the governor.

19 3. The dentistry examining board shall submit a proposed emergency rule  
20 required to implement this act to the governor for approval under s. 227.24 (1) (e) 1g.  
21 no later than the 150th day after the effective date of this subdivision.  
22 Notwithstanding s. 227.24 (1) (e) 1g., if the governor does not reject the proposed  
23 emergency rule by the 14th day after the rule is submitted to the governor in final  
24 draft form, the rule is considered to be approved by the governor.

1           4. The dentistry examining board shall submit a proposed permanent rule  
2 required to implement this act to the governor for approval under s. 227.185 no later  
3 than the 365th day after the effective date of this subdivision. Notwithstanding s.  
4 227.185, if the governor does not reject that proposed permanent rule by the 30th day  
5 after the rule is submitted to the governor in final draft form, the rule is considered  
6 to be approved by the governor.

7           (2) DSPTS CREDENTIAL INVESTIGATIONS; EMERGENCY RULES. Using the procedure  
8 under s. 227.24, the department of safety and professional services and any  
9 credentialing board, as defined in s. 440.01 (2) (bm), may promulgate rules that are  
10 necessary to implement s. 440.03 (13) (br). Notwithstanding s. 227.24 (1) (a) and (3),  
11 the department or credentialing board is not required to provide evidence that  
12 promulgating a rule under this subsection as an emergency rule is necessary for the  
13 preservation of the public peace, health, safety, or welfare and is not required to  
14 provide a finding of emergency for a rule promulgated under this subsection.  
15 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this  
16 subsection remain in effect until July 1, 2025, or the date on which permanent rules  
17 take effect, whichever is sooner, and the effective period may not be further extended  
18 under s. 227.24 (2).

19           (3) EMERGENCY RULE-MAKING; LICENSURE OF ADVANCED PRACTICE REGISTERED  
20 NURSES.

21           (a) Using the procedure under s. 227.24, the board of nursing may promulgate  
22 rules under ch. 441 that are necessary to implement the changes to the licensure of  
23 advanced practice registered nurses. Notwithstanding s. 227.24 (1) (a) and (3), the  
24 board is not required to provide evidence that promulgating a rule under this  
25 paragraph as an emergency rule is necessary for the preservation of the public peace,

1 health, safety, or welfare and is not required to provide a finding of emergency for a  
2 rule promulgated under this paragraph. A rule under this paragraph may take effect  
3 no later than the date specified in SECTION 9438 (3e) of this act. Notwithstanding s.  
4 227.24 (1) (c) and (2), a rule promulgated under this paragraph is effective for 2 years  
5 after its promulgation, or until permanent rules take effect, whichever is sooner, and  
6 the effective period of a rule promulgated under this paragraph may not be further  
7 extended under s. 227.24 (2).

8 (b) 1. In this paragraph, the definitions under s. 441.001 apply.

9 2. Notwithstanding s. 441.09 (3), an individual who, on January 1, 2024, is  
10 licensed as a registered nurse in this state and is practicing in a recognized role may  
11 continue to practice advanced practice registered nursing and the corresponding  
12 recognized role in which he or she is practicing and may continue to use the titles  
13 corresponding to the recognized roles in which he or she is practicing during the  
14 period before which the board takes final action on the person's application under s.  
15 441.09. This subdivision does not apply after the first day of the 13th month  
16 beginning after the effective date of this subdivision.

17 **SECTION 9438. Effective dates; Safety and Professional Services.**

18 (1) DENTAL THERAPIST LICENSURE. The treatment of s. 15.405 (6) (b) takes effect  
19 on the date the notice under s. 447.02 (6) is published in the Wisconsin  
20 Administrative Register or on the first day of the 6th year beginning after  
21 publication, whichever occurs first.

22 (2) RENEWAL DATES. The treatment of ss. 20.165 (1) (jm), 106.30 (2), 227.01 (13)  
23 (zxm), 440.01 (1) (dL) and (dm), 440.03 (14) (c) and (15), 440.032 (5), 440.08 (2) (title),  
24 (a) (intro.), 1n., 2n., 1. to 37., 37m., 38. to 72., (ar), (b), (c), (d), and (e), (2m) (title) and  
25 (b), and (4) (a), 440.09 (3) (a), 440.26 (3) and (5m) (b), 440.313 (1), 440.415 (2) (a),

1 440.71 (3), 440.88 (4), 440.905 (2), 440.91 (1) (c), (1m) (c), and (4), 440.92 (1) (c),  
2 440.972 (2), 440.974 (2), 440.98 (6), 440.983 (1), 440.992 (6), 440.9935, 441.01 (7) (a)  
3 (intro.) and 1. (by SECTION 149e) and (b), 441.06 (3) (by SECTION 152e), 441.10 (6),  
4 441.15 (3) (b) (by SECTION 164e), 442.083 (1) and (2) (a), 443.015 (1e), 443.07 (6),  
5 443.08 (3) (b), 443.10 (2) (e) and (5), 445.06 (1), 445.07 (1) and (2), 445.095 (1) (c),  
6 445.105 (3), 446.02 (1) (b) and (4), 446.025 (3) (b), 446.026 (3) (b), 447.05 (1) (a),  
7 447.055 (1) (a) and (b) 1. and 2. and (3), 447.056 (1) (intro.), (2), and (3), 447.057 (1)  
8 (a) and (b) 1. and 2. (by SECTION 217e) and (3) (by SECTION 217f), 447.058 (2) (b), 448.07  
9 (1) (a), 448.13 (title), (1) (a) 1. and 2., and (1m), 448.40 (1) and (2) (e), 448.55 (2),  
10 448.65 (2) (intro.), 448.665, 448.86 (2), 448.9545 (1) (a) and (b) (intro.), 448.955 (1),  
11 (2) (a), and (3) (a), 448.956 (1) (c), 448.967 (2), 448.9703 (3) (a), 448.9706 (2), 448.974  
12 (2) (a), 449.06 (1) and (2m), 450.08 (1) and (2) (a) and (b), 450.085 (1), 451.04 (4),  
13 452.10 (2), 452.12 (1) and (5) (a), 452.132 (2) (c), 454.06 (8), 454.08 (9), 454.23 (5),  
14 454.25 (9), 455.06 (1) (a) and (b), 455.065 (7), 456.07 (title), (1), (2), (3), and (5), 457.20  
15 (2), 457.22 (2), 458.085 (3), 458.09 (3), 458.11, 458.13, 458.33 (5), 459.09 (1) (intro.)  
16 and (b), 459.095 (1), 459.24 (5) (intro.) and (b) and (5m) (a) 1., 460.07 (2) (intro.),  
17 460.10 (1) (a), 462.05 (1), 466.04 (3) (a) (intro.), 470.045 (3) (b), 470.07, and 480.08 (5),  
18 the renumbering and amendment of ss. 445.07 (3), 446.025 (3) (a), and 446.026 (3)  
19 (a), and the creation of ss. 445.07 (3) (b), 446.025 (3) (a) 2., and 446.026 (3) (a) 2. take  
20 effect on the first day of the 7th month beginning after publication.

21 (3a) LICENSURE OF ADVANCED PRACTICE REGISTERED NURSES. The treatment of ss.  
22 29.193 (1m) (a) 2. (intro.), (2) (b) 2., (c) 3., (cd) 2. b. and c., and (e)., and (3) (a), 46.03  
23 (44), 50.01 (1b), 50.08 (2), 50.09 (1) (a) (intro.), (f) 1., (h), and (k), 50.36 (3s), 50.49 (1)  
24 (b) (intro.), 51.41 (1d) (b) 4., 70.47 (8) (intro.), 77.54 (14) (f) 3. and 4., 97.59, 102.13  
25 (1) (a), (b) (intro.), 1., 3., and 4., and (d) 1., 2., 3., and 4. and (2) (a) and (b), 102.17 (1)

1 (d) 1. and 2., 102.29 (3), 102.42 (2) (a), 106.30 (1), 118.15 (3) (a), 118.25 (1) (a), 118.29  
2 (1) (e), 118.2925 (1) (b), (3), (4) (c), and (5), 146.615 (1) (a), 146.82 (3) (a), 146.89 (1)  
3 (r) 1. (by SECTION 49e), 3., and 8. and (6), 154.01 (1g), 155.01 (1g) (b), 251.01 (1c),  
4 252.01 (1c), 252.07 (8) (a) 2. and (9) (c), 252.10 (7), 252.11 (2), (4), (5), (7), and (10),  
5 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3., and (7m) (intro.)  
6 and (b), 252.16 (3) (c) (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d), 253.115 (1) (f), (4),  
7 and (7) (a) (intro.), 253.15 (1) (em) and (2), 255.06 (1) (d) and (f) 2. and (2) (d), 255.07  
8 (1) (d), 257.01 (5) (a) (by SECTION 84e) and (b) (by SECTION 85e), 341.14 (1a), (1e) (a),  
9 (1m), and (1q), 343.16 (5) (a), 343.51 (1), 343.62 (4) (a) 4., 440.03 (13) (b) 3., 39m., and  
10 42., 440.077 (1) (a) and (2) (c), 440.094 (1) (c) 1. and (2) (a) (intro.), 440.981 (1), 440.982  
11 (1), 440.987 (2), 441.001 (1c), (3c), (3g), (3n), (3r), (3w), and (5), 441.01 (3), (4), and  
12 (7) (a) (intro.) (by SECTION 149f) and (c), 441.06 (title), (3) (by SECTION 152f), (4), and  
13 (7), 441.07 (1g) (intro.), (a), (c), and (e), 441.09, 441.092, 441.10 (7), 441.11 (title), (1),  
14 (2), and (3), 441.16, 441.18 (2) (a) (intro.) and (b) and (3), 441.19, 448.03 (2) (a) (by  
15 SECTION 233e) and (3m), 448.035 (1) (a) and (2) to (4), 448.56 (1) and (1m) (b), 448.62  
16 (2m), 448.67 (2), 448.956 (1m), 450.01 (1m) and (16) (h) 2. and (hr) 2., 450.03 (1) (e)  
17 (by SECTION 267f), 450.11 (1g) (b), (1i) (a) 1. and (b) 2. b., (7) (b), and (8) (e), 450.13 (5)  
18 (b), 450.135 (7) (b), 462.04 (by SECTION 312e), 655.001 (7t), (8b), and (9), 655.002 (1)  
19 (a), (b), (c), (d), (e), and (em) and (2) (a) and (b), 655.003 (1) and (3), 655.005 (2) (a)  
20 and (b), 655.23 (5m), 655.27 (3) (a) 4. and (b) 2m., 655.275 (2) and (5) (b) 2., 961.01  
21 (19) (a), and 961.395, the renumbering and amendment of s. 253.13 (1), the creation  
22 of s. 253.13 (1) (a), and the repeal of s. 441.15 take effect on the first day of the 13th  
23 month beginning after publication.”.

24 **167.** Page 374, line 11: after that line insert:



1           **“SECTION 1029.** 230.35 (1) (a) 1. of the statutes is amended to read:

2           230.35 (1) (a) 1. One hundred four hours each year for a full year of service  
3 during the first ~~5~~ 2 years of service;

4           **SECTION 1030.** 230.35 (1) (a) 1m. of the statutes is created to read:

5           230.35 (1) (a) 1m. One hundred twenty hours each year for a full year of service  
6 during the next 3 years of service;

7           **SECTION 1031.** 230.35 (1) (c) of the statutes is amended to read:

8           230.35 (1) (c) When the rate of annual leave changes during the 2nd, 5th, 10th,  
9 15th, 20th or 25th calendar year, the annual leave for that year shall be prorated.

10          **SECTION 1032.** 230.35 (1m) (bt) 1. of the statutes is amended to read:

11          230.35 (1m) (bt) 1. 120 hours each year for a full year of service during the first  
12 ~~5~~ 2 years of service;

13          **SECTION 1033.** 230.35 (1m) (bt) 1m. of the statutes is created to read:

14          230.35 (1m) (bt) 1m. 136 hours each year for a full year of service during the  
15 next 3 years of service;

16          **SECTION 9301. Initial applicability; Administration.**

17          (1k) ANNUAL LEAVE HOURS; STATE EMPLOYEES. The treatment of s. 230.35 (1) (a)  
18 1. and 1m. and (c) and (1m) (bt) 1. and 1m. first applies to a state employee’s  
19 anniversary of service that occurs on the effective date of this subsection.”.

20          **168.** Page 374, line 11: after that line insert:

21          **“SECTION 1034.** 49.175 (1) (a) of the statutes is amended to read:

22          49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,  
23 ~~\$37,000,000~~ \$31,000,000 in fiscal year ~~2021-22~~ 2023-24 and ~~\$34,000,000~~  
24 \$29,000,000 in fiscal year ~~2022-23~~ 2024-25.

1           **SECTION 1035.** 49.175 (1) (zh) of the statutes is amended to read:

2           49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of  
3 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation  
4 account under s. 20.835 (2) (kf) for the earned income tax credit, \$63,600,000  
5 \$58,725,000 in fiscal year ~~2021-22~~ 2023-24 and \$66,600,000 \$65,002,000 in fiscal  
6 year ~~2022-23~~ 2024-25.”.

7           **169.** Page 374, line 11: after that line insert:

8           “**SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
9 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
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10       **20.437 Children and families, department of**

11       (2)    ECONOMIC SUPPORT

12       (fd)   Boys and Girls Clubs of Wiscon-

sin	GPR	C	\$1,300,000	\$1,300,000
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14       **SECTION 2.** 20.437 (2) (fd) of the statutes is created to read:

15       20.437 (2) (fd) *Boys and Girls Clubs of Wisconsin.* As a continuing  
16 appropriation, the amount in the schedule to provide grants to the Wisconsin  
17 Chapter of the Boys and Girls Clubs of America under s. 49.175 (1) (z).

18       **SECTION 1.** 49.175 (1) (d) of the statutes is amended to read:

19       49.175 (1) (d) *Families and Schools Together.* For the families and schools  
20 together program in 5 Milwaukee elementary schools to be chosen by the  
21 department, \$250,000 in each fiscal year and an additional \$250,000 in each fiscal  
22 year for this purpose to be distributed only if the recipient provides matching funds.

23       **SECTION 2.** 49.175 (1) (j) of the statutes is amended to read:

1           49.175 (1) (j) *Grants for providing civil legal services*. For the grants under s.  
2           49.1635 (5) to Wisconsin Trust Account Foundation, Inc., for distribution to  
3           programs that provide civil legal services to low-income families, \$500,000  
4           \$1,000,000 in each fiscal year.

5           **SECTION 3.** 49.175 (1) (Lm) of the statutes is amended to read:

6           49.175 (1) (Lm) *Jobs for America's Graduates*. For grants to the Jobs for  
7           America's Graduates-Wisconsin to fund programs that improve social, academic,  
8           and employment skills of youth who are eligible to receive temporary assistance for  
9           needy families under 42 USC 601 et seq., \$500,000 in each fiscal year, \$1,000,000.

10          **SECTION 4.** 49.175 (1) (Lp) of the statutes is created to read:

11          49.175 (1) (Lp) *Skills enhancement program*. For skills enhancement grants,  
12          \$250,000 in each fiscal year.

13          **SECTION 5.** 49.175 (1) (z) of the statutes is amended to read:

14          49.175 (1) (z) *Grants to the Boys and Girls Clubs of America*. For grants to the  
15          Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that  
16          improve social, academic, and employment skills of youth who are eligible to receive  
17          temporary assistance for needy families under 42 USC 601 et seq., focusing on study  
18          habits, intensive tutoring in math and English, and exposure to career options and  
19          role models, ~~\$2,807,000~~ \$4,607,000 in each fiscal year. Grants provided under this  
20          paragraph may not be used by the grant recipient to replace funding for programs  
21          that are being funded, when the grant proceeds are received, with moneys other than  
22          those from the appropriations specified in sub. (1) (intro.). The total amount of the  
23          grants includes funds for the BE GREAT: Graduate program in the amount of  
24          matching funds that the program provides, up to \$1,532,000 in each fiscal year, to

1 be used only for activities for which federal Temporary Assistance for Needy Families  
2 block grant moneys may be used.

3 **SECTION 6.** 49.1635 (5) (a) (intro.) of the statutes is amended to read:

4 49.1635 (5) (a) (intro.) From the allocation under s. 49.175 (1) (j), the  
5 department shall make a grant of \$500,000 in each fiscal year to Wisconsin Trust  
6 Account Foundation, Inc., for distribution of annual awards of not more than \$75,000  
7 per year per program to programs that provide legal services to persons who are  
8 eligible under par. (b) 2. if all of the following apply:".

9 **170.** Page 374, line 11: after that line insert:

10 "SECTION 9128. Nonstatutory provisions; Legislature.

11 (1) REQUIRED GENERAL FUND STRUCTURAL BALANCE. Section 20.003 (4m) shall not  
12 apply to the actions of the legislature in enacting any legislation during the 2023-24  
13 legislative session."

14 **171.** Page 374, line 11: after that line insert:

15 "SECTION 1036. 20.005 (3) (schedule) of the statutes: at the appropriate place,  
16 insert the following amounts for the purposes indicated:

				<b>2023-24</b>	<b>2024-25</b>
17	<b>20.490</b>	<b>Wisconsin Housing and Economic</b>			
18		<b>Development Authority</b>			
19	(6)	REVOLVING LOAN FUNDS			
20	(am)	Residential housing infrastruc-			
21		ture revolving loan fund	GPR	C 275,000,000	-0-

				<b>2023-24</b>	<b>2024-25</b>
1	(b)	Main street housing rehabilita-			
2		tion revolving loan fund	GPR C	100,000,000	-0-
3	(c)	Commercial-to-housing conver-			
4		sion revolving loan fund	GPR C	100,000,000	-0-
5	(d)	Housing rehabilitation loan fund	GPR C	50,000,000	-0-

6       **SECTION 1037.** 20.490 (6) of the statutes is created to read:

7       20.490 **(6)** REVOLVING LOAN FUNDS. (am) *Residential housing infrastructure*  
8       *revolving loan fund.* As a continuing appropriation, the amounts in the schedule for  
9       deposit into the residential housing infrastructure revolving loan fund under s.  
10       234.66 (2).

11       (b) *Main street housing rehabilitation revolving loan fund.* As a continuing  
12       appropriation, the amounts in the schedule for deposit into the main street housing  
13       rehabilitation revolving loan fund under s. 234.661 (2).

14       (c) *Commercial-to-housing conversion revolving loan fund.* As a continuing  
15       appropriation, the amounts in the schedule for deposit into the  
16       commercial-to-housing conversion revolving loan fund under s. 234.662 (2).

17       (d) *Housing rehabilitation loan fund.* As a continuing appropriation, the  
18       amounts in the schedule for deposit into the housing rehabilitation loan fund under  
19       s. 234.53.”.

20       **172.** Page 374, line 11: after that line insert:

21       “**SECTION 1038.** 16.3065 of the statutes is created to read:

22       **16.3065 Affordable workforce housing grants. (1) DEFINITION.** In this  
23       section, “municipality” means a city, village, or town.

1           **(2) GRANTS.** From the appropriation under s. 20.505 (7) (fq), the department  
 2 shall award grants to municipalities for the purpose of increasing the availability of  
 3 affordable workforce housing within the municipality, including by funding  
 4 infrastructure for new affordable housing developments, creating or enhancing an  
 5 affordable housing trust fund, or providing additional incentives for land use and  
 6 zoning changes. The department may promulgate rules establishing eligibility  
 7 requirements and other program guidelines for the grant program under this  
 8 subsection, including guidelines designed to ensure that housing created with grant  
 9 funds under the program remains affordable.

10           **SECTION 1039.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
 11 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
12 <b>20.505 Administration, department of</b>		
13   (7) HOUSING AND COMMUNITY DEVELOPMENT		
14   (fq) Affordable workforce housing		
15       grants	GPR    B   150,000,000	-0-

16           **SECTION 1040.** 20.505 (7) (fq) of the statutes is created to read:  
 17           20.505 (7) (fq) *Affordable workforce housing grants.* Biennially, the amounts  
 18 in the schedule for the grants to municipalities under s. 16.3065.”.

19           **173.** Page 374, line 11: after that line insert:  
 20           “**SECTION 1041.** 16.3067 of the statutes is created to read:  
 21           **16.3067 Rental housing safety grants. (1) GRANTS.** From the appropriation  
 22 under s. 20.505 (7) (fs), the department shall award one or more grants to a 1st class  
 23 city for activities that support the improvement of rental housing safety in the city,

1 including the enhancement or creation of a property inspection program and the  
2 development and launch of a searchable online database that discloses the history  
3 of rental properties within the city. The department may establish program  
4 guidelines for the grant program under this subsection.

5 (2) SUNSET. No grants may be awarded under sub. (1) after June 30, 2025.

6 SECTION 1042. 20.005 (3) (schedule) of the statutes: at the appropriate place,  
7 insert the following amounts for the purposes indicated:

2023-24 2024-25

8 **20.505 Administration, department of**

9 (7) HOUSING AND COMMUNITY DEVELOPMENT

10 (fs) Rental housing safety grants GPR B 5,000,000 -0-

11 SECTION 1043. 20.505 (7) (fs) of the statutes is created to read:

12 20.505 (7) (fs) *Rental housing safety grants*. Biennially, the amounts in the  
13 schedule for grants to a 1st class city under s. 16.3067.”.

14 **174.** Page 374, line 11: after that line insert:

15 “SECTION 1044. 20.005 (3) (schedule) of the statutes: at the appropriate place,  
16 insert the following amounts for the purposes indicated:

2023-24 2024-25

17 **20.155 Public service commission**

18 (3) AFFILIATED GRANT PROGRAMS

19 (c) Broadband expansion grant pro-  
20 gram GPR C 750,000,000 -0-

21 SECTION 1045. 20.155 (3) (c) of the statutes is created to read:

1           20.155 (3) (c) *Broadband expansion grant program.* As a continuing  
2 appropriation, the amounts in the schedule for the broadband expansion grant  
3 program under s. 196.504 (2).

4           **SECTION 1046.** 196.504 (2m) of the statutes is created to read:

5           196.504 (2m) (a) Except as provided in pars. (b) and (c), from the appropriation  
6 under s. 20.155 (3) (c), each fiscal year the commission shall award no less than 10  
7 percent of the amount in the schedule for that appropriation in fiscal year 2023-24  
8 as broadband expansion grants under sub. (2).

9           (b) Except as provided in par. (c), if the remaining unobligated balance of the  
10 appropriation under s. 20.155 (3) (c) is less than 10 percent of the amount in the  
11 schedule for that appropriation in fiscal year 2023-24, the commission shall award  
12 the entire remaining balance in broadband expansion grants under sub. (2) in that  
13 fiscal year.

14           (c) If in any fiscal year, the commission does not receive sufficient broadband  
15 expansion grant applications that meet the eligibility criteria to award the minimum  
16 amounts described under par. (a) or (b), the commission shall award the maximum  
17 amount of broadband expansion grants under sub. (2) possible that fiscal year.”.

18           **175.** Page 374, line 11: after that line insert:

19           “**SECTION 1047.** 16.3085 (2) (a) of the statutes is amended to read:

20           16.3085 (2) (a) From the appropriation under s. 20.505 (7) (kg), the department  
21 may award up to 10 grants, of up to ~~\$50,000~~ \$75,000 each, annually to any shelter  
22 facility.

23           **SECTION 9101. Nonstatutory provisions; Administration.**

24           (7r) HOMELESS CASE MANAGEMENT GRANT PROGRAM.



1 (a) The authorized FTE positions for the department of administration are  
2 increased by 1.0 PR position, to be funded from the appropriation under s. 20.505 (7)  
3 (kg) to carry out functions related to the homeless case management grant program  
4 under. s. 16.3085.

5 (b) In the schedule under s. 20.005 (3) for the appropriation to the department  
6 of administration under s. 20.505 (7) (kg), the dollar amount for fiscal year 2023-24  
7 is increased by \$565,000 and the dollar amount for fiscal year 2024-25 is increased  
8 by \$586,600 for the homeless case management grant program under s. 16.3085.”.

9 **176.** Page 374, line 11: after that line insert:

10 “**SECTION 9238. Fiscal changes; Safety and Professional Services.**

11 (1) PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM RESEARCH. In the schedule  
12 under s. 20.005 (3) for the appropriation to the department of safety and professional  
13 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased  
14 by \$116,000 to support research related to private on-site wastewater treatment  
15 system and potential effects on nearby drinking water wells. In the schedule under  
16 s. 20.005 (3) for the appropriation to the department of safety and professional  
17 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2024-25 is increased  
18 by \$100,000 to support research related to private on-site wastewater treatment  
19 system and potential effects on nearby drinking water wells.”.

20 **177.** Page 374, line 11: after that line insert:

21 “**SECTION 1048.** 20.165 (2) (jm) of the statutes is created to read:

22 20.165 (2) (jm) *Contractor payments received for regulation.* All moneys  
23 received by contractors and vendors as payments for services performed for the

1 department relating to the regulation of industry, buildings, and safety under chs.  
2 101 and 145 and ss. 167.10 and 167.27.”.

3 **178.** Page 374, line 11: after that line insert:

4 **“SECTION 9238. Fiscal changes; Safety and Professional Services.**

5 (1) STRETCH ENERGY CODE WORKING GROUP. In the schedule under s. 20.005 (3)  
6 for the appropriation to the public service commission under s. 20.165 (2) (j), the  
7 dollar amount for fiscal year 2023-24 is increased by \$250,000 to increase the  
8 authorized FTE positions for the public service commission by 1.0 PR project  
9 position, for establishing a working group to evaluate local energy codes that aim to  
10 achieve energy savings in all types of buildings.”.

11 **179.** Page 374, line 11: after that line insert:

12 **“SECTION 1049.** 101.123 (1) (h) (intro.) of the statutes is amended to read:

13 101.123 (1) (h) (intro.) “Smoking” means burning any of the following:

14 1m. Burning or holding, or inhaling or exhaling smoke from, any of the  
15 following items containing tobacco:

16 **SECTION 1050.** 101.123 (1) (h) 1. of the statutes is renumbered 101.123 (1) (h)

17 1m. a.

18 **SECTION 1051.** 101.123 (1) (h) 2. of the statutes is renumbered 101.123 (1) (h)

19 1m. b.

20 **SECTION 1052.** 101.123 (1) (h) 2m. of the statutes is created to read:

21 101.123 (1) (h) 2m. Inhaling or exhaling vapor from a vapor product.

22 **SECTION 1053.** 101.123 (1) (h) 3. of the statutes is renumbered 101.123 (1) (h)

23 1m. c.

1           **SECTION 1054.** 101.123 (1) (h) 4. of the statutes is renumbered 101.123 (1) (h)  
2 1m. d.

3           **SECTION 1055.** 101.123 (1) (k) of the statutes is created to read:  
4 101.123 (1) (k) “Vapor product” has the meaning given in s. 139.75 (14).”.

5           **180.** Page 374, line 11: after that line insert:

6           **“SECTION 9238. Fiscal changes; Safety and Professional Services.**

7           (1) BUILDING PLAN REVIEW; ADVANCE SCHEDULING. In the schedule under s. 20.005  
8 (3) for the appropriation to the department of safety and professional services under  
9 s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$470,300  
10 to increase the authorized FTE positions for the public service commission by 7.0 PR  
11 positions, for scheduling plan reviews in advance and submitting plans within 48  
12 hours of an appointment. In the schedule under s. 20.005 (3) for the appropriation  
13 to the department of safety and professional services under s. 20.165 (2) (j), the dollar  
14 amount for fiscal year 2024-25 is increased by \$610,200 to provide funding for the  
15 positions authorized under this subsection.

16           (2) BUILDING PLAN REVIEW; CONDUCTING ALL REVIEWS WITHIN 20 DAYS. In the  
17 schedule under s. 20.005 (3) for the appropriation to the public service commission  
18 under s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by  
19 \$972,500 to increase the authorized FTE positions for the public service commission  
20 by 14.0 PR positions, for conducting all building plan reviews within 20 days of  
21 submittal. In the schedule under s. 20.005 (3) for the appropriation to the public  
22 service commission under s. 20.165 (2) (j), the dollar amount for fiscal year 2024-25  
23 is increased by \$1,263,000 to provide funding for the positions authorized under this  
24 subsection.

1           (3) BUILDING PLAN REVIEW; ACCELERATED REVIEW; SMALL PROJECTS. In the schedule  
2 under s. 20.005 (3) for the appropriation to the department of safety and professional  
3 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased  
4 by \$270,000 to increase the authorized FTE positions for the public service  
5 commission by 4.0 PR positions, for conducting accelerated building plan review of  
6 small projects. In the schedule under s. 20.005 (3) for the appropriation to the  
7 department of safety and professional services under s. 20.165 (2) (j), the dollar  
8 amount for fiscal year 2024-25 is increased by \$350,200 to provide funding for the  
9 positions authorized under this subsection.”.

10           **181.** Page 374, line 11: after that line insert:

11           “**SECTION 1056.** 13.48 (30) (a) (intro.) and 2. of the statutes are consolidated,  
12 renumbered 13.48 (30) (a) and amended to read:

13           13.48 (30) (a) In this section: 2. ~~“Unserved,~~ “underserved area” has the meaning  
14 given in s. 196.504 (1) (c).

15           **SECTION 1057.** 13.48 (30) (a) 1. of the statutes is repealed.

16           **SECTION 1058.** 13.48 (30) (b) of the statutes is amended to read:

17           13.48 (30) (b) The legislature finds and determines that the provision of  
18 broadband Internet access is essential to the welfare of the citizens of this state and  
19 to economic development in this state, and therefore the provision of broadband  
20 Internet access is a government function and a statewide responsibility of statewide  
21 dimension. The legislature further determines that sufficient private capital has  
22 been and continues to be unavailable to fulfill the need for the development of  
23 broadband Internet access in ~~underserved~~ and underserved areas in this state. It is  
24 therefore in the public interest, and it is the public policy of this state, to assist the

1 public service commission in making broadband expansion grants under s. 196.504  
2 (2) (a) for the purpose of constructing broadband infrastructure in ~~underserved and~~  
3 unserved areas of this state.

4 **SECTION 1059.** 24.40 (3) of the statutes is amended to read:

5 24.40 (3) Notwithstanding s. 28.02 (5) or any contrary rule promulgated by the  
6 department, if the department grants an easement under sub. (1r) for the  
7 construction of broadband infrastructure in ~~underserved~~ unserved areas, as  
8 designated under s. 196.504 (2) ~~(d)~~ (e), the department may not require any appraisal  
9 or the payment of any fee to grant the easement.

10 **SECTION 1060.** 86.16 (6) of the statutes is amended to read:

11 86.16 (6) If the department consents under sub. (1) to the construction of  
12 broadband infrastructure in ~~underserved~~ unserved areas, as designated under s.  
13 196.504 (2) ~~(d)~~ (e), the department may not charge any fee for the initial issuance of  
14 any permit necessary to construct broadband infrastructure along, across, or within  
15 the limits of a highway.

16 **SECTION 1061.** 196.504 (1) (b) of the statutes is repealed.

17 **SECTION 1062.** 196.504 (1) (c) 2. of the statutes is amended to read:

18 196.504 (1) (c) 2. Provided at actual speeds of at least 20 percent of the upload  
19 ~~and download speeds for advanced telecommunications capability as designated by~~  
20 ~~the federal communications commission in its inquiries regarding advanced~~  
21 ~~telecommunications capability under 47 USC 1302 (b)~~ download speeds of 100  
22 megabits per second or greater and upload speeds of 20 megabits per second or  
23 greater. Beginning on July 1 of the 2nd calendar year beginning after the effective  
24 date of this subdivision .... [LRB inserts date], and on July 1 of each successive  
25 odd-numbered year thereafter, the commission may adjust the threshold speeds

1 designated in this subdivision if, upon review, it determines there is good cause to  
2 do so in order to align with changes in technology and actual market conditions. If  
3 the commission adjusts these threshold speeds, it shall publicize the adjusted speed  
4 thresholds on its website.

5 **SECTION 1063.** 196.504 (1) (c) 3. of the statutes is created to read:

6 196.504 (1) (c) 3. Available, reliable, and affordable.

7 **SECTION 1064.** 196.504 (2) (a) of the statutes, as affected by 2021 Wisconsin Act  
8 58, is amended to read:

9 196.504 (2) (a) To make broadband expansion grants to eligible applicants for  
10 the purpose of constructing broadband infrastructure in underserved unserved  
11 areas designated under par. (d) (e). Grants awarded under this section subsection  
12 shall be paid from the appropriations under ss. 20.155 (3) (c), (r), and (rm) and 20.866  
13 (2) (z), in the amount allocated under s. 20.866 (2) (z) 5.

14 **SECTION 1065.** 196.504 (2) (c) of the statutes is renumbered 196.504 (2) (c) 1.  
15 (intro.) and amended to read:

16 196.504 (2) (c) 1. (intro.) To establish criteria for evaluating applications and  
17 awarding grants under this section subsection. The criteria shall ~~prohibit grants~~  
18 give priority to all of the following:

19 a. Grants that do not have the effect of subsidizing the expenses of a provider  
20 of telecommunications service, as defined in s. 182.017 (1g) (cq), or the monthly bills  
21 of customers of those providers. ~~The criteria shall give priority to projects~~

22 c. Projects that include at least 40 percent matching funds, and shall give  
23 higher priority to projects with more than 40 percent matching funds.

24 d. Projects that involve public-private partnerships, that affect unserved  
25 areas.

1           e. Projects that are scalable,;

2           f. Projects that promote economic development, ~~that will not result in delaying~~  
3 ~~the provision of broadband service to areas neighboring areas to be served by the~~  
4 ~~proposed project, or.~~

5           g. Projects that affect a large geographic area that is difficult to connect or a  
6 large number of underserved unserved individuals or communities.

7           2. When evaluating grant applications under this ~~section~~ subsection, the  
8 commission shall consider ~~the~~ all of the following:

9           a. The degree to which the proposed projects would duplicate existing  
10 broadband infrastructure, information about the presence of which is provided to the  
11 commission by the applicant or another person within a time period designated by  
12 the commission; ~~the.~~

13           b. The impacts of the proposed projects on the ability of individuals to access  
14 health care services from home and the cost of those services; ~~and the.~~

15           c. The impacts of the proposed projects on the ability of students to access  
16 educational opportunities from home.

17           **SECTION 1066.** 196.504 (2) (c) 1. b. of the statutes is created to read:

18           196.504 (2) (c) 1. b. Require that projects serve unserved areas.

19           **SECTION 1067.** 196.504 (2) (c) 1. h. of the statutes is created to read:

20           196.504 (2) (c) 1. h. Projects that are capable of offering service at actual  
21 download speeds of 100 megabits per second or greater and upload speeds of 100  
22 megabits per second or greater and shall give higher priority to projects that are  
23 capable of exceeding these speeds. Beginning on July 1 of the 2nd calendar year  
24 beginning after the effective date of this subdivision .... [LRB inserts date], and on  
25 July 1 of each successive odd-numbered year thereafter, the commission may adjust

1 the threshold service speeds designated in this subdivision if, upon review, it  
2 determines there is good cause to do so in order to align with changes in technology  
3 and actual market conditions. If the commission adjusts these threshold speeds, it  
4 shall publicize the adjusted speeds on its website.

5 **SECTION 1068.** 196.504 (2) (c) 2. d. and e. of the statutes are created to read:

6 196.504 (2) (c) 2. d. The affordability of the service.

7 e. All federal funding for broadband facilities in the project area of the proposed  
8 project.

9 **SECTION 1069.** 196.504 (2) (d) of the statutes is repealed.

10 **SECTION 1070.** 196.504 (2t) of the statutes is created to read:

11 196.504 (2t) (a) Within 10 days of the close of the broadband expansion grant  
12 application process, the commission shall publish on its website the proposed  
13 geographic broadband service area and the proposed broadband service speeds for  
14 each application for a broadband expansion grant submitted.

15 (b) An Internet service provider in or proximate to the proposed project area  
16 may, within 30 days of publication of the information under par. (a), submit in writing  
17 to the commission a challenge to an application. A challenge shall contain  
18 information demonstrating one of the following:

19 1. The provider currently provides available, reliable, and affordable fixed  
20 wireless or wired broadband service to any part of the proposed project area at  
21 download speeds of 100 megabits per second or greater and upload speeds of 20  
22 megabits per second or greater.

23 2. The provider commits to complete construction of broadband infrastructure  
24 and to provide available, reliable, and affordable fixed wireless or wired broadband  
25 service to any part of the proposed project area at speeds equal to or greater than the



1 speeds described under subd. 1. no later than 24 months after the date of the  
2 commission's order awarding broadband expansion grants. The provider shall  
3 submit documentation showing this commitment, including engineering plans,  
4 invoices related to project materials, permit applications, and a project timeline.

5 (bm) An Internet service provider that submits a challenge under this  
6 subsection shall allow the commission to inspect the broadband infrastructure  
7 identified by a provider in a challenge under par. (b) 1. or 2. to ensure it meets  
8 minimum service standards.

9 (c) The commission shall evaluate an Internet service provider's challenge  
10 under this subsection, and is prohibited from funding any portion of a project relating  
11 to the area that is the subject of the challenge if the commission determines that the  
12 challenger's provision of or commitment to provide broadband service that meets the  
13 requirements of par. (b) in that area is credible.

14 (d) If the commission denies funding to an applicant as a result of an Internet  
15 service provider's challenge made under this subsection and the Internet service  
16 provider does not fulfill its commitment to provide available, reliable, and affordable  
17 broadband service in the area that is the subject of the challenge, the commission is  
18 prohibited from awarding grant funding to that Internet service provider for the  
19 following 2 grant cycles and that Internet service provider is prohibited from  
20 participating in the challenge process under par. (b) for the following 2 grant cycles,  
21 unless the commission determines that the Internet service provider's failure to  
22 fulfill its commitment was the result of factors beyond the Internet service provider's  
23 control. The commission shall give priority scoring treatment to an application  
24 targeting a grant project area that remains unserved as a result of a successful  
25 challenge and an unfulfilled commitment.

1           **SECTION 1071.** 196.504 (3) (intro.) of the statutes is amended to read:

2           196.504 (3) (intro.) The commission shall encourage the development of  
3 broadband infrastructure in ~~underserved~~ unserved areas of the state and do all of the  
4 following:

5           **SECTION 9336. Initial applicability; Public Service Commission.**

6           (1) BROADBAND EXPANSION GRANT PROGRAM. The treatment of ss. 13.48 (30) (a)  
7 (intro.), 1., and 2. and (b), 24.40 (3), 86.16 (6), and 196.504 (1) (b) and (c) 2. and 3.,  
8 (2) (a) and (d), (2t), and (3) (intro.), the renumbering and amendment of s. 196.504  
9 (2) (c), and the creation of s. 196.504 (2) (c) 1. b. and h. and 2. d. and e. first apply to  
10 an application for a broadband expansion grant submitted pursuant to s. 196.504  
11 during the grant application period that begins after the effective date of this  
12 subsection.

13           **SECTION 1072.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
14 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
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15           **20.455 Public service commission**

16           (3)    AFFILIATED GRANT PROGRAMS

17           (b)    Broadband line extension grants	GPR	A	1,750,000	3,500,000
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18           **SECTION 1073.** 20.155 (3) (b) of the statutes is created to read:

19           20.155 (3) (b) *Broadband line extension grants.* The amounts in the schedule  
20 for financial assistance grants for broadband line extension under s. 196.504 (2r).

21           **SECTION 1074.** 20.155 (3) (r) of the statutes is amended to read:

22           20.155 (3) (r) *Broadband expansion grants; transfers.* From the universal  
23 service fund, all moneys transferred under s. 196.218 (3) (a) 2s. a., 2015 Wisconsin

1 Act 55, section 9236 (1v), 2017 Wisconsin Act 59, section 9237 (1) and (2) (a), and 2019  
2 Wisconsin Act 9, section 9201 (1), for broadband expansion grants under s. 196.504  
3 (2).

4 **SECTION 1075.** 20.155 (3) (rm) of the statutes is amended to read:

5 20.155 (3) (rm) *Broadband grants; other funding.* From the universal service  
6 fund, as a continuing appropriation, all moneys transferred under s. 196.218 (3) (a)  
7 2s. b., for broadband expansion grants under s. 196.504 (2).

8 **SECTION 1076.** 196.504 (2) (b) of the statutes is amended to read:

9 196.504 (2) (b) To prescribe the form, nature, and extent of the information that  
10 shall be contained in an application for a grant under this ~~section~~ subsection. The  
11 application shall require the applicant to identify the area of the state that will be  
12 affected by the proposed project and explain how the proposed project will increase  
13 broadband access.

14 **SECTION 1077.** 196.504 (2r) of the statutes is created to read:

15 196.504 (2r) The commission shall administer the line extension assistance  
16 program and shall have the following powers:

17 (a) To make financial assistance grants to residents of properties that are not  
18 served by a broadband service provider to assist in paying the customer costs  
19 associated with line extension necessary to connect broadband service to the  
20 properties. The amount of a financial assistance grant under this subsection may  
21 not exceed \$4,000. Grants awarded under this subsection shall be paid from the  
22 appropriation under s. 20.155 (3) (b).

23 (b) To establish criteria for evaluating applications and awarding financial  
24 assistance grants under this subsection. The criteria shall give priority to properties  
25 that serve as a primary residence.

1           **SECTION 1078.** 20.155 (1) (q) of the statutes is amended to read:

2           20.155 (1) (q) *Universal telecommunications service; broadband service; digital*  
3 *equity.* From the universal service fund, the amounts in the schedule for the  
4 promotion of broadband service ~~and, universal telecommunications service, and~~  
5 digital equity for the purposes specified in s. 196.218 (5) (a) 1., 4., 8., 9., ~~and 10., and~~  
6 15.

7           **SECTION 1079.** 196.01 (2n) of the statutes is created to read:

8           196.01 (2n) “Digital equity” means all individuals and communities have the  
9 information technology capacity needed to fully participate in society.

10          **SECTION 1080.** 196.218 (5) (a) 15. of the statutes is created to read:

11          196.218 (5) (a) 15. To administer a digital equity program for the purposes  
12 specified under s. 196.504 (10).

13          **SECTION 1081.** 196.504 (10) of the statutes is created to read:

14          196.504 (10) The commission shall administer a digital equity program under  
15 which it may do all of the following:

16           (a) Provide outreach and assistance to promote digital equity.

17           (b) Coordinate the administration of federal and state digital equity funding.

18           (c) Provide digital navigation services.

19           (d) Implement digital inclusion activities.

20          **SECTION 1082.** 66.0422 (1) (cr) of the statutes is created to read:

21          66.0422 (1) (cr) “Unserved area” means an area of this state that is designated  
22 as an unserved area by the public service commission under s. 196.504 (2) (e).

23          **SECTION 1083.** 66.0422 (2) (c) of the statutes is amended to read:

24          66.0422 (2) (c) No less than 30 days before the public hearing, the local  
25 government prepares and makes available for public inspection a report estimating

1 the total costs of, and revenues derived from, constructing, owning, or operating the  
2 facility and including a cost-benefit analysis of the facility for a period of at least 3  
3 years. The costs that are subject to this paragraph include personnel costs and costs  
4 of acquiring, installing, maintaining, repairing, or operating any plant or  
5 equipment, and include an appropriate allocated portion of costs of personnel, plant,  
6 or equipment that are used to provide jointly both telecommunications services and  
7 other services. This paragraph does not apply to a broadband facility that is intended  
8 to serve an unserved area.

9 **SECTION 1084.** 66.0422 (3d) (intro.) of the statutes is amended to read:

10 66.0422 (3d) (intro.) Subsection (2) does not apply to a facility for providing  
11 broadband service to an area within the boundaries of a local government if the local  
12 government asks, in writing, each person that provides broadband service within the  
13 boundaries of the local government whether the person currently provides  
14 broadband service to the area and, if the area is not an unserved area, whether the  
15 person intends to provide broadband service to the area within 9 months, or, if the  
16 area is an unserved area, whether the person actively plans to provide broadband  
17 service to the area within 3 months and any of the following are satisfied:

18 **SECTION 1085.** 66.0422 (3d) (a) of the statutes is amended to read:

19 66.0422 (3d) (a) ~~The local government asks, in writing, each person that~~  
20 ~~provides broadband service within the boundaries of the local government whether~~  
21 ~~the person currently provides broadband service to the area or intends to provide~~  
22 ~~broadband service within 9 months to the area and within 60 days after receiving the~~  
23 ~~written request no person responds in writing to the~~ The local government does not  
24 receive a response in writing that ~~the~~ a person currently provides broadband service

1 to the area or intends or actively plans to provide broadband service to the area  
2 within ~~9 months~~ the relevant time period.

3 **SECTION 1086.** 66.0422 (3d) (b) of the statutes is amended to read:

4 66.0422 **(3d)** (b) The local government determines that a person who responded  
5 ~~to a written request under par. (a)~~ that the person currently provides broadband  
6 service to the area did not actually provide broadband service to the area and no other  
7 person ~~makes the response~~ responds to the local government ~~described in par. (a)~~.

8 **SECTION 1087.** 66.0422 (3d) (c) of the statutes is amended to read:

9 66.0422 **(3d)** (c) The local government determines that a person who responded  
10 ~~to a written request under par. (a)~~ that the person intended or actively planned to  
11 provide broadband service to the area within ~~9 months~~ the relevant time period did  
12 not actually provide broadband service to the area within ~~9 months~~ the relevant time  
13 period and no other person ~~makes the response~~ responds to the local government  
14 ~~described in par. (a)~~.

15 **SECTION 1088.** 66.0422 (3m) (b) of the statutes is amended to read:

16 66.0422 **(3m)** (b) The municipality itself does not use the facility to provide  
17 broadband service to end users. This paragraph does not apply to a facility that is  
18 intended to serve an unserved area.

19 **SECTION 1089.** 66.0422 (3m) (c) of the statutes is amended to read:

20 66.0422 **(3m)** (c) The municipality determines that, at the time that the  
21 municipality authorizes the construction, ownership, or operation of the facility,  
22 whichever occurs first, the facility does not compete with more than one provider of  
23 broadband service. This paragraph does not apply to a facility that is intended to  
24 serve an unserved area.

25 **SECTION 1090.** 100.2091 of the statutes is created to read:

1           **100.2091 Broadband; discrimination prohibited.** (1) No broadband  
2 service provider may deny access to broadband service to any group of potential  
3 residential customers because of the race or income of the residents in the area in  
4 which the group resides.

5           (2) It is a defense to an alleged violation of sub. (1) based on income if, no later  
6 than 3 years after the date on which the broadband service provider began providing  
7 broadband service in this state, at least 30 percent of the households with access to  
8 the broadband service provider's broadband service in the area in which a group of  
9 potential residential customers resides are low-income households.

10           (3) The department may enforce this section and may promulgate rules to  
11 implement and administer this section, including rules that define low-income  
12 households, and to align department rules with federal communications commission  
13 broadband rules. The department of justice may represent the department in an  
14 action to enforce this section. If the court finds that a broadband service provider has  
15 not complied with this section, the court shall order the broadband service provider  
16 to comply with this section within a reasonable amount of time and, notwithstanding  
17 s. 814.14 (1), shall award costs, including reasonable attorney fees, to the  
18 department of justice.

19           (4) Any person that is affected by a failure to comply with this section may bring  
20 an action to enforce this section. If a court finds that a broadband service provider  
21 has not complied with this section, the court shall order the broadband service  
22 provider to comply with this section within a reasonable amount of time and,  
23 notwithstanding s. 814.14 (1), shall award costs, including reasonable attorney fees,  
24 to the person affected.

25           **SECTION 1091.** 100.2092 of the statutes is created to read:

1           **100.2092 Broadband service subscriber rights. (1) RIGHTS.** (a) A  
2 broadband service provider shall repair broadband service within 72 hours after a  
3 subscriber reports a service interruption or requests the repair if the service  
4 interruption is not the result of a major system-wide or large area emergency, such  
5 as a natural disaster.

6           (b) Upon notification by a subscriber of a service interruption, a broadband  
7 service provider shall give the subscriber a credit for one day of broadband service  
8 if broadband service is interrupted for more than 4 hours in one day and the  
9 interruption is caused by the broadband service provider.

10           (c) Upon notification by a subscriber of a service interruption, a broadband  
11 service provider shall give the subscriber a credit for each hour that broadband  
12 service is interrupted if broadband service is interrupted for more than 4 hours in  
13 one day and the interruption is not caused by the broadband service provider.

14           (d) Prior to entering into a service agreement with a subscriber, a broadband  
15 service provider shall disclose that a subscriber has a right to a credit for notifying  
16 the broadband service provider of a service interruption.

17           (e) A broadband service provider shall provide broadband service that satisfies  
18 minimum standards established by the department by rule.

19           (f) A broadband service provider shall give a subscriber at least 30 days'  
20 advance written notice before instituting a rate increase.

21           (g) A broadband service provider shall give a subscriber at least 7 days' advance  
22 written notice of any scheduled routine maintenance that causes a service slowdown,  
23 interruption, or outage.



1 (h) A broadband service provider shall give a subscriber at least 10 days'  
2 advance written notice of disconnecting service, unless the disconnection is  
3 requested by the subscriber.

4 (i) Prior to entering into a service agreement with a subscriber, a broadband  
5 service provider shall disclose the factors that may cause the actual broadband speed  
6 experience to vary, including the number of users and device limitations.

7 (j) A broadband service provider shall provide broadband service to a  
8 subscriber as described in point-of-sale advertisements and representations made  
9 to the subscriber.

10 (k) A broadband service provider shall give a subscriber at least 10 days'  
11 advance written notice of a change in a factor that may cause the originally disclosed  
12 broadband speed experience to vary.

13 (L) A broadband service provider shall allow a subscriber to terminate a  
14 contract and receive a full refund without fees if the provider sells a service that does  
15 not satisfy the requirements established under par. (e) and the broadband service  
16 provider does not satisfy the requirements established under par. (e) within one  
17 month of written notification from the subscriber.

18 **(2) ADVERTISING.** A broadband service provider shall disclose the factors that  
19 may cause the actual broadband speed experience of a subscriber to vary, including  
20 the number of users and device limitations, in each advertisement of the speed of the  
21 provider's service, including in all of the following types of advertisements:

22 (a) Television and other commercials.

23 (b) Internet and email advertisements.

24 (c) Print advertisements and bill inserts.

1 (d) Any other advertising method or solicitation for the sale of new or upgraded  
2 broadband service.

3 (3) RULES. The department may promulgate rules to implement and  
4 administer this section, including rules to align department rules with federal  
5 communications commission broadband rules.

6 (4) PENALTY; ENFORCEMENT. (a) A person who violates this section may be  
7 required to forfeit not more than \$1,000 for each violation and not more than \$10,000  
8 for each occurrence. Failure to give a notice required under sub. (1) (f) to more than  
9 one subscriber shall be considered one violation.

10 (b) The department or a district attorney may institute civil proceedings under  
11 this section.

12 **SECTION 1092.** 165.25 (4) (ar) of the statutes is amended to read:

13 165.25 (4) (ar) The department of justice shall furnish all legal services  
14 required by the department of agriculture, trade and consumer protection relating  
15 to the enforcement of ss. 91.68, 93.73, 100.171, 100.173, 100.174, 100.175, 100.177,  
16 100.18, 100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.2091, 100.2092,  
17 100.21, 100.28, 100.37, 100.42, 100.50, 100.51, 100.55, and 846.45 and chs. 126, 136,  
18 344, 704, 707, and 779, together with any other services as are necessarily connected  
19 to the legal services.

20 **SECTION 1093.** 196.5048 of the statutes is created to read:

21 **196.5048 Internet service provider registration.** No person may provide  
22 Internet service in this state unless the person registers with the commission.

23 **SECTION 9302. Initial applicability; Agriculture, Trade and Consumer**  
24 **Protection.**

1           (1) SUBSCRIBERS TERMINATING BROADBAND CONTRACTS. The treatment of s.  
2           100.2092 (1) (L) first applies to a contract that is entered into, renewed, or modified  
3           on the effective date of this subsection.

4           **SECTION 9436. Effective dates; Public Service Commission.**

5           (1) INTERNET SERVICE PROVIDER REGISTRATION REQUIREMENT. The treatment of s.  
6           196.5048 takes effect on January 1, 2024.”.

7           **182.** Page 374, line 11: after that line insert:

8           **“SECTION 9238. Fiscal changes; Safety and Professional Services.**

9           (1) AUDIT PROGRAM. In the schedule under s. 20.005 (3) for the appropriation  
10          to the department of safety and professional services s. 20.165 (2) (j), the dollar  
11          amount for fiscal year 2023-24 is increased by \$315,300 to increase the authorized  
12          FTE positions for the public service commission by 5.0 PR positions, to implement  
13          an audit program for certain building plan review activities and inspections  
14          oversight. In the schedule under s. 20.005 (3) for the appropriation to the department  
15          of safety and professional services under s. 20.165 (2) (j), the dollar amount for fiscal  
16          year 2024-25 is increased by \$408,300 to provide funding for the positions  
17          authorized under this subsection.

18          (2) MUNICIPAL BUILDING INSPECTION PROGRAM. In the schedule under s. 20.005  
19          (3) for the appropriation to the department of safety and professional services s.  
20          20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$70,800 to  
21          increase the authorized FTE positions for the public service commission by 1.0 PR  
22          position, to coordinate municipal building inspection programs. In the schedule  
23          under s. 20.005 (3) for the appropriation to the department of safety and professional

1 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2024-25 is increased  
2 by \$90,400 to provide funding for the position authorized under this subsection.”.

3 **183.** Page 374, line 11: after that line insert:

4 “**SECTION 1094.** 20.165 (2) (j) of the statutes, as affected by 2017 Wisconsin Act  
5 331, section 2, is amended to read:

6 20.165 (2) (j) *Safety and building operations.* The amounts in the schedule for  
7 the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and  
8 (2m), and 236.335 and for the purpose of transferring the amounts in the schedule  
9 under par. (kf) to the appropriation account under par. (kf). All moneys received  
10 under ch. 145 and ss. 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4),  
11 101.955 (2), 167.35 (2) (f), and 236.12 (7) shall be credited to this appropriation  
12 account.

13 **SECTION 1095.** 20.165 (2) (kf) of the statutes is created to read:

14 20.165 (2) (kf) *Private on-site wastewater treatment system replacement and*  
15 *rehabilitation.* As a continuing appropriation, the amounts in the schedule for  
16 financial assistance under the private on-site wastewater treatment system  
17 replacement and rehabilitation program under s. 145.246. All moneys transferred  
18 from par. (j) shall be credited to this appropriation account.

19 **SECTION 1096.** 145.20 (5) (a) of the statutes, as affected by 2017 Wisconsin Act  
20 59, is amended to read:

21 145.20 (5) (a) The department shall establish a maintenance program to be  
22 administered by governmental units responsible for the regulation of private on-site  
23 wastewater treatment systems. The department shall determine the private on-site  
24 wastewater treatment systems to which the maintenance program applies. At a

1 minimum the maintenance program is applicable to all new or replacement private  
2 on-site wastewater treatment systems constructed in a governmental unit after the  
3 date on which the governmental unit adopts this program. The department may  
4 apply the maintenance program by rule to private on-site wastewater treatment  
5 systems constructed in a governmental unit responsible for the regulation of private  
6 on-site wastewater treatment systems on or before the date on which the  
7 governmental unit adopts the program. The department shall determine the private  
8 on-site wastewater treatment systems to which the maintenance program applies  
9 in governmental units that do not meet the conditions for eligibility under s. 145.246  
10 (8).

11 **SECTION 1097.** 145.20 (5) (am) of the statutes, as affected by 2017 Wisconsin  
12 Act 59, is amended to read:

13 145.20 (5) (am) Each governmental unit responsible for the regulation of  
14 private on-site wastewater treatment systems shall adopt and begin the  
15 administration of the program established under par. (a) before October 1, 2019. As  
16 part of adopting and administering the program, the governmental unit shall  
17 conduct and maintain an inventory of all the private on-site wastewater treatment  
18 systems located in the governmental unit and shall complete the initial inventory  
19 before October 1, 2017. In order to be eligible for grant funding under s. 145.246, a  
20 governmental unit must comply with these deadlines.

21 **SECTION 1098.** 145.246 of the statutes is created to read:

22 **145.246 Private on-site wastewater treatment system replacement or**  
23 **rehabilitation. (1) DEFINITIONS.** In this section:

24 (a) "Determination of failure" means any of the following:

1           1. A determination that a private on-site wastewater treatment system is  
2 failing, according to the criteria under s. 145.01 (4m), based on an inspection of the  
3 private on-site wastewater treatment system by an employee of the state or a  
4 governmental unit who is certified to inspect private on-site wastewater treatment  
5 systems by the department.

6           2. A written enforcement order issued under s. 145.02 (3) (f), 145.20 (2) (f), or  
7 281.19 (2).

8           3. A written enforcement order issued under s. 254.59 (1) by a governmental  
9 unit.

10           (b) “Governmental unit” means a governmental unit responsible for the  
11 regulation of private on-site wastewater treatment systems. “Governmental unit”  
12 also includes a federally recognized American Indian tribe or band.

13           (c) “Indian lands” means lands owned by the United States and held for the use  
14 or benefit of Indian tribes or bands or individual Indians and lands within the  
15 boundaries of a federally recognized reservation that are owned by Indian tribes or  
16 bands or individual Indians.

17           (d) “Participating governmental unit” means a governmental unit which  
18 applies to the department for financial assistance under sub. (7) and which meets the  
19 conditions specified under sub. (8).

20           (e) “Principal residence” means a residence which is occupied at least 51  
21 percent of the year by the owner.

22           (f) “Sewage” means the water-carried wastes created in and to be conducted  
23 away from residences, industrial establishments, and public buildings, as defined in  
24 s. 101.01 (12), with such surface water or groundwater as may be present.

1 (g) “Small commercial establishment” means a commercial establishment or  
2 business place with a maximum daily waste water flow rate of less than 5,000 gallons  
3 per day.

4 **(2) CATEGORIES OF FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEMS.** For  
5 the purposes of this section, the department shall establish the category of each  
6 failing private on-site wastewater treatment system for which a grant application  
7 is submitted, as follows:

8 (a) Category 1: failing private on-site wastewater treatment systems described  
9 in s. 145.01 (4m) (a) to (c).

10 (b) Category 2: failing private on-site wastewater treatment systems described  
11 in s. 145.01 (4m) (d).

12 (c) Category 3: failing private on-site wastewater treatment systems described  
13 in s. 145.01 (4m) (e).

14 **(3) ELIGIBILITY.** (a) 1. A person is eligible for grant funds under this section if  
15 he or she owns a principal residence which is served by a category 1 or 2 failing  
16 private on-site wastewater treatment system, if the private on-site wastewater  
17 treatment system was installed at least 33 years before the person submits a grant  
18 application, if the family income of the person does not exceed the income limitations  
19 under par. (c), if the amount of the grant determined under sub. (6) is at least \$100,  
20 if the residence is not located in an area served by a sewer, and if determination of  
21 failure is made prior to the rehabilitation or replacement of the failing private  
22 on-site wastewater treatment system.

23 2. A business is eligible for grant funds under this section if it owns a small  
24 commercial establishment which is served by a category 1 or 2 failing private on-site  
25 wastewater treatment system, if the private on-site wastewater treatment system

1 was installed at least 33 years before the business submits a grant application, if the  
2 gross revenue of the business does not exceed the limitation under par. (d), if the  
3 small commercial establishment is not located in an area served by a sewer, and if  
4 a determination of failure is made prior to the rehabilitation or replacement of the  
5 private on-site wastewater treatment system.

6 3. A person who owns a principal residence or small commercial establishment  
7 which is served by a category 1 or 2 failing private on-site wastewater treatment  
8 system may submit an application for grant funds during the 3-year period after the  
9 determination of failure is made. Grant funds may be awarded after work is  
10 completed if rehabilitation or replacement of the system meets all requirements of  
11 this section and rules promulgated under this section.

12 (b) Each principal residence or small commercial establishment may receive  
13 only one grant under this section.

14 (c) 1. In order to be eligible for grant funds under this section, the annual family  
15 income of the person who owns the principal residence may not exceed \$45,000.  
16 Beginning July 1, 2024, and annually on July 1 thereafter, the department shall  
17 adjust the dollar amount specified in this subdivision by an amount equal to that  
18 dollar amount multiplied by the percentage change in the U.S. consumer price index  
19 for urban wage earners and clerical workers, U.S. city average, for the prior year,  
20 rounded to the nearest dollar. The department shall publish the dollar amounts on  
21 its website. Notwithstanding s. 227.10, the adjusted dollar amounts need not be  
22 promulgated as rules under ch. 227.

23 2. Except as provided under subd. 4., annual family income shall be based upon  
24 the federal adjusted gross income of the owner and the owner's spouse, if any, as



1        computed for the taxable year prior to the year in which the determination of failure  
2        is made.

3            3. In order to be eligible for grant funds under this section, a person shall  
4        submit a copy of the federal income tax returns upon which the determination of  
5        federal adjusted gross income under subd. 2. was made together with any application  
6        required by the governmental unit.

7            4. A governmental unit may disregard the federal income tax return that is  
8        submitted under subd. 3. and may determine annual family income based upon  
9        satisfactory evidence of federal adjusted gross income or projected federal adjusted  
10       gross income of the owner and the owner's spouse in the current year. The  
11       department shall promulgate rules establishing criteria for determining what  
12       constitutes satisfactory evidence of federal adjusted gross income or projected  
13       federal adjusted gross income in a current year.

14           (d) 1. In order to be eligible for grant funds under this section, the annual gross  
15       revenue of the business that owns the small commercial establishment may not  
16       exceed \$362,500.

17           2. Except as provided in subd. 4., annual gross revenue shall be based upon the  
18       gross revenue of the business for the taxable year prior to the year in which the  
19       determination of failure is made. The department shall promulgate rules  
20       establishing criteria for determining what constitutes satisfactory evidence of gross  
21       revenue in a prior taxable year.

22           3. In order to be eligible for grant funds under this section, a business shall  
23       submit documentation required by the department under subd. 2. together with any  
24       application required by the governmental unit.

1           4. A governmental unit may disregard the documentation of gross revenue for  
2 the taxable year prior to the year in which the determination of failure is made and  
3 may determine annual gross revenue based upon satisfactory evidence of gross  
4 revenue of the business in the current year. The department shall promulgate rules  
5 establishing criteria for determining what constitutes satisfactory evidence of gross  
6 revenue in a current year.

7           (e) The department of revenue shall, upon request by the department, verify  
8 the income information submitted by an applicant or grant recipient.

9           **(4) DENIAL OF APPLICATION.** (a) The department or a governmental unit shall  
10 deny a grant application under this section if the applicant or a person who would  
11 be directly benefited by the grant intentionally caused the conditions which resulted  
12 in a category 1 or 2 failing private on-site wastewater treatment system. The  
13 department or governmental unit shall notify the applicant in writing of a denial,  
14 including the reason for the denial.

15           (b) The department shall notify a governmental unit if an individual's name  
16 appears on the statewide support lien docket under s. 49.854 (2) (b). The department  
17 or a governmental unit shall deny an application under this section if the name of  
18 the applicant or an individual who would be directly benefited by the grant appears  
19 on the statewide support lien docket under s. 49.854 (2) (b), unless the applicant or  
20 individual who would be benefited by the grant provides to the department or  
21 governmental unit a payment agreement that has been approved by the county child  
22 support agency under s. 59.53 (5) and that is consistent with rules promulgated  
23 under s. 49.858 (2) (a).

24           **(5) USE OF FUNDS.** (a) Except for grants under par. (b), funds available under  
25 a grant under this section shall be applied to the rehabilitation or replacement of the

1 private on-site wastewater treatment system. An existing private on-site  
2 wastewater treatment system may be replaced by an alternative private on-site  
3 wastewater treatment system or by a system serving more than one principal  
4 residence.

5 (b) Funds available under a grant under this section for experimental private  
6 on-site wastewater treatment systems shall be applied to the installation and  
7 monitoring of the experimental private on-site wastewater treatment systems.

8 **(6) ALLOWABLE COSTS; STATE SHARE.** (a) Except as provided in par. (e), costs  
9 allowable in determining grant funding under this section may not exceed the costs  
10 of rehabilitating or replacing a private on-site wastewater treatment system that  
11 would be necessary to allow the rehabilitated system or new system to meet the  
12 minimum requirements of the state plumbing code promulgated under s. 145.02.

13 (b) Except as provided in par. (e), costs allowable in determining grant funding  
14 under this section may not exceed the costs of rehabilitating or replacing a private  
15 on-site wastewater treatment system by the least costly methods, except that a  
16 holding tank may not be used as the measure of the least costly method for  
17 rehabilitating or replacing a private on-site wastewater treatment system other  
18 than a holding tank.

19 (c) Except as provided in pars. (d) and (e), the state grant share under this  
20 section is limited to \$7,000 for each principal residence or small commercial  
21 establishment to be served by the private on-site wastewater treatment system or  
22 to the amount determined by the department based upon private on-site wastewater  
23 treatment system grant funding tables, whichever is less. The department shall  
24 prepare and publish private on-site wastewater treatment system grant funding  
25 tables which specify the maximum state share limitation for various components and

1 costs involved in the rehabilitation or replacement of a private on-site wastewater  
2 treatment system based upon minimum size and other requirements specified in the  
3 state plumbing code promulgated under s. 145.02. The maximum state share  
4 limitations shall be designed to pay approximately 60 percent of the average  
5 allowable cost of private on-site wastewater treatment system rehabilitation or  
6 replacement based upon estimated or actual costs of that rehabilitation or  
7 replacement. The department shall revise the grant funding tables when it  
8 determines that 60 percent of current costs of private on-site wastewater treatment  
9 system rehabilitation or replacement exceed the amounts in the grant funding tables  
10 by more than 10 percent, except that the department may not revise the grant  
11 funding tables more often than once every 2 years.

12 (d) Except as provided in par. (e), if the income of a person who owns a principal  
13 residence that is served by a category 1 or 2 failing private on-site wastewater  
14 treatment system is greater than \$32,000, the amount of the grant under this section  
15 is limited to the amount determined under par. (c) less 30 percent of the amount by  
16 which the person's income exceeds \$32,000.

17 (e) Costs allowable for experimental private on-site wastewater treatment  
18 systems shall include the costs of installing and monitoring experimental private  
19 on-site wastewater treatment systems installed under s. 145.02 (3) (b) and this  
20 section. The department shall promulgate rules that specify how the department  
21 will select, monitor, and allocate the state share for experimental private on-site  
22 wastewater treatment systems that the department funds under this section.

23 **(7) APPLICATION.** (a) In order to be eligible for a grant under this section, a  
24 governmental unit shall make an application for replacement or rehabilitation of  
25 private on-site wastewater treatment systems of principal residences or small

1 commercial establishments and shall submit an application for participation to the  
2 department. The application shall be in the form and include the information the  
3 department prescribes. In order to be eligible for funds available in a fiscal year, an  
4 application is required to be received by the department prior to February 1 of the  
5 previous fiscal year.

6 (b) An American Indian tribe or band may submit an application for  
7 participation for any Indian lands under its jurisdiction.

8 **(8) CONDITIONS; GOVERNMENTAL UNITS.** As a condition for obtaining grant  
9 funding under this section, a governmental unit shall do all of the following:

10 (a) Adopt and administer the maintenance program established under s.  
11 145.20 (5).

12 (b) Certify that grants will be used for private on-site wastewater treatment  
13 system replacement or rehabilitation for a principal residence or small commercial  
14 establishment owned by a person who meets the eligibility requirements under sub.  
15 (3), that the funds will be used as provided under sub. (5) and that allowable costs  
16 will not exceed the amount permitted under sub. (6).

17 (c) Certify that grants will be used for private on-site wastewater treatment  
18 systems which will be properly installed and maintained.

19 (d) Certify that grants provided to the governmental unit will be disbursed to  
20 eligible owners.

21 (e) Establish a process for regulation and inspection of private on-site  
22 wastewater treatment systems.

23 (f) Establish a system of user charges and cost recovery if the governmental  
24 unit considers this system to be appropriate. User charges and cost recovery may

1 include the cost of the grant application fee and the cost of supervising installation  
2 and maintenance.

3 (g) Establish a system which provides for the distribution of grant funds  
4 received among eligible applicants based on the amount requested in the application  
5 as approved by the department. If the amount received by a county is insufficient  
6 to fully fund all grants, the county shall prorate grant funds on the same basis as sub.  
7 (12).

8 (9) ASSISTANCE. The department shall make its staff available to provide  
9 technical assistance to each governmental unit. The department shall prepare and  
10 distribute to each participating governmental unit a manual of procedures for the  
11 grant program under this section.

12 (10) DISTRIBUTION OF LITERATURE. The department shall prepare literature that  
13 describes the eligibility for receiving a grant under this section for a principal  
14 residence. The department shall supply the literature to counties, and counties shall  
15 distribute the literature to recipients of public benefits.

16 (11) ALLOCATION OF FUNDS. (a) *Determination of eligible applications.* At the  
17 beginning of each fiscal year the department shall determine the state grant share  
18 for applications from eligible owners received by participating governmental units.  
19 The department may revise this determination if a governmental unit does not meet  
20 the conditions specified under sub. (8) or if it determines that individuals do not meet  
21 eligibility requirements under sub. (3).

22 (b) *Allocation.* The department shall allocate available funds for grants to each  
23 participating governmental unit according to the total amount of the state grant  
24 share for all eligible applications received by that governmental unit.

1           (c) *Limitation; commercial establishments.* The department may not allocate  
2 more than 10 percent of the funds available under this subsection each fiscal year  
3 for grants for small commercial establishments.

4           (d) *Limitation; experimental private on-site wastewater treatment systems.*  
5 The department may not allocate more than 10 percent of the funds available under  
6 this subsection each fiscal year for grants for the installation and monitoring of  
7 experimental private on-site wastewater treatment systems.

8           **(12) PRORATING.** (a) Except as provided in par. (d), the department shall prorate  
9 available funds under this subsection if funds are not sufficient to fully fund all  
10 applications. A prorated payment shall be deemed full payment of the grant.

11           (b) Except as provided in par. (d), if funds are sufficient to fully fund all category  
12 1 but not all category 2 failing private on-site wastewater treatment systems, the  
13 department shall fully fund all category 1 systems and prorate the funds for category  
14 2 systems on a proportional basis.

15           (c) Except as provided in par. (d), if funds are not sufficient to fully fund all  
16 category 1 failing private on-site wastewater treatment systems, the department  
17 shall fund the category 1 systems on a proportional basis and deny the grant  
18 applications for all category 2 systems.

19           (d) The department is not required to prorate available funds for grants for the  
20 installation and monitoring of experimental private on-site wastewater treatment  
21 systems.

22           **(13) DETERMINATION OF ELIGIBILITY; DISBURSEMENT OF GRANTS.** (a) The  
23 department shall review applications for participation in the state program  
24 submitted under sub. (7). The department shall determine if a governmental unit  
25 submitting an application meets the conditions specified under sub. (8).

1 (b) The department shall promulgate rules which shall define payment  
2 mechanisms to be used to disburse grants to a governmental unit.

3 (14) INSPECTION. Agents of the department or the governmental unit may enter  
4 premises where private on-site wastewater treatment systems are located pursuant  
5 to a special inspection warrant as required under s. 66.0119 to collect samples,  
6 records, and information and to ascertain compliance with the rules and orders of the  
7 department or the governmental unit.

8 (15) ENFORCEMENT. (a) If the department has reason to believe that a violation  
9 of this section or any rule promulgated under this section has occurred, it may do any  
10 of the following:

11 1. Cause written notice to be served upon the alleged violator. The notice shall  
12 specify the alleged violation and contain the findings of fact on which the charge of  
13 violation is based and may include an order that necessary corrective action be taken  
14 within a reasonable time. This order shall become effective unless, no later than 30  
15 days after the date the notice and order are served, the person named in the notice  
16 and order requests in writing a hearing before the department. Upon this request  
17 and after due notice, the department shall hold a hearing. Instead of an order, the  
18 department may require that the alleged violator appear before the department for  
19 a hearing at a time and place specified in the notice and answer the charges  
20 complained of.

21 2. Initiate action under sub. (16).

22 (b) If after the hearing the department finds that a violation has occurred, it  
23 shall affirm or modify its order previously issued or issue an appropriate order for  
24 the prevention, abatement, or control of the violation or for other corrective action.  
25 If the department finds that no violation has occurred, it shall rescind its order. Any



1 order issued as part of a notice or after hearing may prescribe one or more dates by  
2 which necessary action shall be taken in preventing, abating, or controlling the  
3 violation.

4 (c) Additional grants under this section to a governmental unit previously  
5 awarded a grant under this section may be suspended or terminated if the  
6 department finds that a private on-site wastewater treatment system previously  
7 funded in the governmental unit is not being or has not been properly rehabilitated,  
8 constructed, installed, or maintained.

9 **(16) PENALTIES.** Any person who violates this section or a rule or order  
10 promulgated under this section shall forfeit not less than \$10 nor more than \$5,000  
11 for each violation. Each day of continued violation is a separate offense. While an  
12 order is suspended, stayed, or enjoined, this penalty does not accrue.

13 **SECTION 1099.** 281.57 (7) (c) 1. of the statutes, as affected by 2017 Wisconsin  
14 Act 59, is amended to read:

15 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are  
16 limited in each fiscal year to receiving total grant awards not to exceed 33 percent  
17 of the sum of the amounts in the schedule for that fiscal year for the appropriation  
18 under s. 20.165 (2) (kf) and the amount authorized under sub. (10) for that fiscal year  
19 plus the unencumbered balance at the end of the preceding fiscal year for the amount  
20 authorized under sub. (10). This subdivision is not applicable to grant awards  
21 provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

22 **SECTION 9238. Fiscal changes; Safety and Professional Services.**

23 (1) PRIVATE SEPTIC SYSTEM PLAN REVIEW. In the schedule under s. 20.005 (3) for  
24 the appropriation to the department of safety and professional services under s.  
25 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$123,000 to

1 increase the authorized FTE positions for the public service commission by 2.0 PR  
2 positions, for private septic system plan review. In the schedule under s. 20.005 (3)  
3 for the appropriation to the department of safety and professional services under s.  
4 20.165 (2) (j), the dollar amount for fiscal year 2024-25 is increased by \$159,000 to  
5 provide funding for the positions authorized under this subsection.”.

6 **184.** Page 374, line 11: after that line insert:

7 “SECTION 1100. 101.022 of the statutes is amended to read:

8 **101.022 Certain laws applicable to occupational licenses.** Sections  
9 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b),  
10 440.07 (2) (b), 440.075, 440.09 (2), 440.11, 440.12, 440.121, 440.13, 440.14, 440.15,  
11 440.19, 440.20 (1), (3), (4) (a), and (5) (a), 440.205, 440.21, and 440.22, and the  
12 requirements imposed on the department under those statutes, apply to  
13 occupational licenses, as defined in s. 101.02 (1) (a) 2., in the same manner as those  
14 statutes apply to credentials, as defined in s. 440.01 (2) (a).

15 **SECTION 1101.** 145.02 (4) (a) of the statutes is amended to read:

16 145.02 (4) (a) The department shall prescribe rules as to the qualifications,  
17 examination and licensing of master and journeyman plumbers and restricted  
18 plumber licensees, for the licensing of utility contractors, for the registration of  
19 plumbing apprentices and pipe layers and for the registration and training of  
20 registered learners. The department may approve, in whole or in part, an  
21 examination prepared, administered, and graded by a test service provider. The  
22 plumbers council, created under s. 15.407 (16), shall advise the department in  
23 formulating the rules.

24 **SECTION 1102.** 145.07 (2) of the statutes is amended to read:

1           145.07 (2) Application for a master or journeyman plumber’s examination,  
2 temporary permit or license shall be made to the department with fees. Unless the  
3 applicant is entitled to a renewal of license, a license shall be issued only after the  
4 applicant passes a satisfactory examination showing fitness. No such license or  
5 permit shall be transferable.

6           **SECTION 9238. Fiscal changes; Safety and Professional Services.**

7           (1) TRADE EXAMINATION PROVIDERS. In the schedule under s. 20.005 (3) for the  
8 appropriation to the department of safety and professional services under s. 20.165  
9 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$500,000 to procure  
10 3rd-party trade examination services. In the schedule under s. 20.005 (3) for the  
11 appropriation to the department of safety and professional services under s. 20.165  
12 (2) (j), the dollar amount for fiscal year 2024-25 is increased by \$500,000 to procure  
13 3rd-party trade examination services.”.

14           **185.** Page 374, line 11: after that line insert:

15           **“SECTION 9242. Fiscal changes; Technical College System.**

16           (1) YOUTH VOLUNTEER FIREFIGHTER TRAINING GRANT PROGRAM. In the schedule  
17 under s. 20.005 (3) for the appropriation to the technical college system board under  
18 s. 20.292 (1) (gr), the dollar amount for fiscal year 2023-24 is increased by \$100,000  
19 for the purpose for which the appropriation is made. In the schedule under s. 20.005  
20 (3) for the appropriation to the technical college system board under s. 20.292 (1) (gr),  
21 the dollar amount for fiscal year 2024-25 is increased by \$100,000 for the purpose  
22 for which the appropriation is made.”.

23           **186.** Page 374, line 11: after that line insert:

24           **“SECTION 1103.** 71.07 (5m) (e) of the statutes is created to read:

1           71.07 (5m) (e) *Sunset*. No credit may be claimed under this subsection for  
2 taxable years beginning after December 31, 2022.

3           **SECTION 1104.** 71.07 (5me) of the statutes is created to read:

4           71.07 (5me) FAMILY AND INDIVIDUAL REINVESTMENT CREDIT. (a) *Definitions*. In  
5 this subsection:

6           1. "Claimant" means an individual who is eligible to claim the credit under this  
7 subsection.

8           2. "Household" means a claimant and an individual related to the claimant as  
9 husband or wife.

10          3. "Net tax liability" means a claimant's income tax liability after he or she  
11 completes the computations for nonrefundable credits listed in s. 71.10 (4) (a) to (gy).

12          (b) *Filing claims*. For taxable years beginning after December 31, 2022, and  
13 subject to the limitations provided in this subsection, a claimant may claim as a  
14 credit against the tax imposed under s. 71.02, up to the amount of those taxes, one  
15 of the following amounts:

16          1. If the claimant is single or files as a head of household and his or her adjusted  
17 gross income is less than \$100,000 in the year to which the claim relates, the greater  
18 of \$100 or an amount equal to 10 percent of his or her net tax liability.

19          2. If the claimant is single or files as a head of household and his or her adjusted  
20 gross income is at least \$100,000 but less than \$120,000 in the year to which the  
21 claim relates, an amount that is calculated as follows:

22           a. Calculate the value of a fraction, the denominator of which is \$20,000 and  
23 the numerator of which is the difference between the claimant's adjusted gross  
24 income and \$100,000.

25           b. Subtract from 1.0 the amount that is calculated under subd. 2. a.

- 1           c. Multiply the amount that is calculated under subd. 2. b. by 10 percent.
- 2           d. Multiply the amount of the claimant's net income tax liability by the amount  
3 that is calculated under subd. 2. c.
- 4           3. If the claimant is married and filing jointly and the sum of the claimant's  
5 adjusted gross income and his or her spouse's adjusted gross income is less than  
6 \$150,000 in the year to which the claim relates, the greater of \$100 or an amount  
7 equal to 10 percent of the married couple's net tax liability.
- 8           4. If the claimant is married and filing jointly and the sum of the claimant's  
9 adjusted gross income and his or her spouse's adjusted gross income is at least  
10 \$150,000 but less than \$175,000 in the year to which the claim relates, an amount  
11 that is calculated as follows:
- 12           a. Calculate the value of a fraction, the denominator of which is \$25,000 and  
13 the numerator of which is the difference between the married couple's adjusted gross  
14 income and \$150,000.
- 15           b. Subtract from 1.0 the amount that is calculated under subd. 4. a.
- 16           c. Multiply the amount that is calculated under subd. 4. b. by 10 percent.
- 17           d. Multiply the amount of the married couple's net income tax liability by the  
18 amount that is calculated under subd. 4. c.
- 19           5. If the claimant is married and filing separately and his or her adjusted gross  
20 income is less than \$75,000 in the year to which the claim relates, the greater of \$50  
21 or an amount equal to 10 percent of his or her net tax liability.
- 22           6. If the claimant is married and filing separately and his or her adjusted gross  
23 income is at least \$75,000 but less than \$87,500 in the year to which the claim relates,  
24 an amount that is calculated as follows:

1           a. Calculate the value of a fraction, the denominator of which is \$12,500 and  
2 the numerator of which is the difference between the claimant's adjusted gross  
3 income and \$75,000.

4           b. Subtract from 1.0 the amount that is calculated under subd. 6. a.

5           c. Multiply the amount that is calculated under subd. 6. b. by 10 percent.

6           d. Multiply the amount of the claimant's net income tax liability by the amount  
7 that is calculated under subd. 6. c.

8           (c) *Limitations.* 1. No credit may be allowed under this subsection unless it  
9 is claimed within the period under s. 71.75 (2).

10           2. Part-year residents and nonresidents of this state are not eligible for the  
11 credit under this subsection.

12           3. Except as provided in subd. 4., only one credit per household is allowed each  
13 year.

14           4. If a married couple files separately, each spouse may claim the credit  
15 calculated under par. (b) 5. or 6., except a married person living apart from the other  
16 spouse and treated as single under section 7703 (b) of the Internal Revenue Code may  
17 claim the credit under par. (b) 1. or 2.

18           5. The credit under this subsection may not be claimed by a person who may  
19 be claimed as a dependent on the individual income tax return of another taxpayer.

20           (d) *Administration.* The department of revenue may enforce the credit under  
21 this subsection and may take any action, conduct any proceeding, and proceed as it  
22 is authorized in respect to taxes under this chapter. The income tax provisions in this  
23 chapter relating to assessments, refunds, appeals, collection, interest, and penalties  
24 apply to the credit under this subsection.

25           **SECTION 1105.** 71.10 (4) (gye) of the statutes is created to read:

1           71.10 (4) (gye) Family and individual reinvestment credit under s. 71.07  
2 (5me).”.

3           **187.** Page 374, line 11: after that line insert:

4           “**SECTION 1106.** 71.07 (8p) of the statutes is created to read:

5           71.07 (8p) FAMILY CAREGIVER TAX CREDIT. (a) *Definitions.* In this subsection:

6           1. “Claimant” means an individual who files a claim under this subsection for  
7 amounts paid for qualified expenses to benefit a qualified family member.

8           2. “Physician” has the meaning given in s. 36.60 (1) (b).

9           3. “Qualified expenses” means amounts paid by a claimant in the year to which  
10 the claim relates for items that relate directly to the care or support of a qualified  
11 family member, including the following:

12           a. The improvement or alteration of the claimant’s primary residence to enable  
13 or assist the qualified family member to be mobile, safe, or independent.

14           b. The purchase or lease of equipment to enable or assist the qualified family  
15 member to carry out one or more activities of daily living.

16           c. The acquisition of goods or services, or support, to assist the claimant in  
17 caring for the qualified family member, including employing a home care aide or  
18 personal care attendant, adult day care, specialized transportation, legal or financial  
19 services, or assistive care technology.

20           4. “Qualified family member” means an individual to whom all of the following  
21 apply:

22           a. The individual is at least 18 years of age during the taxable year to which  
23 the claim relates.

1           b. The individual requires assistance with one or more daily living activities,  
2 as certified in writing by a physician.

3           c. The individual is the claimant's family member, as defined in s. 46.2805 (6m).

4           (b) *Filing claims.* For taxable years beginning after December 31, 2022, and  
5 subject to the limitations provided in this subsection, a claimant may claim as a  
6 credit against the tax imposed under s. 71.02, up to the amount of those taxes, 50  
7 percent of the claimant's qualified expenses.

8           (c) *Limitations.* 1. Subject to subds. 2. and 3., the maximum credit that may  
9 be claimed under this subsection each taxable year with regard to a particular  
10 qualified family member is \$500 or, if a claimant is married and filing a separate  
11 return, \$250. If more than one individual may file a claim under this subsection for  
12 a particular qualified family member, the maximum credit specified in this  
13 subdivision shall be apportioned among all eligible claimants based on the ratio of  
14 their qualified expenses to the total amount of all qualified expenses incurred on  
15 behalf of that particular qualified family member, as determined by the department.

16           2. If the claimant is married and filing jointly and the couple's federal adjusted  
17 gross income in the taxable year exceeds \$170,000, no credit may be claimed under  
18 this subsection. If the claimant is married and filing jointly and the couple's federal  
19 adjusted gross income in the taxable year exceeds \$150,000, but does not exceed  
20 \$170,000, the credit claimed under this subsection may not exceed the amount  
21 determined as follows:

22           a. Determine the amount allowed under par. (b) without regard to this  
23 subdivision but with regard to subd. 1.

24           b. Subtract \$150,000 from the couple's federal adjusted gross income.

25           c. Divide the amount determined under subd. 2. b. by \$20,000.



1           d. Multiple the amount determined under subd. 2. a. by the amount determined  
2 under subd. 2. c.

3           e. Subtract the amount determined under subd. 2. d. from the amount  
4 determined under subd. 2. a.

5           3. If the claimant files as a single individual or head of household, or is married  
6 and files separately, and the claimant's federal adjusted gross income in the taxable  
7 year exceeds \$85,000, no credit may be claimed under this subsection. If the claimant  
8 files as a single individual or head of household, or is married and files separately,  
9 and the claimant's federal adjusted gross income in the taxable year exceeds \$75,000,  
10 but does not exceed \$85,000, the credit claimed under this subsection may not exceed  
11 the amount determined as follows:

12           a. Determine the amount allowed under par. (b) without regard to this  
13 subdivision but with regard to subd. 1.

14           b. Subtract \$75,000 from the claimant's federal adjusted gross income.

15           c. Divide the amount determined under subd. 3. b. by \$10,000.

16           d. Multiple the amount determined under subd. 3. a. by the amount determined  
17 under subd. 3. c.

18           e. Subtract the amount determined under subd. 3. d. from the amount  
19 determined under subd. 3. a.

20           4. No credit may be allowed under this subsection unless it is claimed within  
21 the period specified under s. 71.75 (2).

22           5. No credit may be claimed under this subsection by nonresidents or part-year  
23 residents of this state.

24           6. Qualified expenses may not include any of the following:

25           a. General food, clothing, or transportation expenses.

1           b. Ordinary household maintenance or repair expenses that are not directly  
2 related or necessary for the care of the qualified family member.

3           c. Any amount that is paid or reimbursed by insurance or other means.

4           7. No credit may be allowed under this subsection for a taxable year covering  
5 a period of less than 12 months, except for a taxable year closed by reason of the death  
6 of the taxpayer.

7           (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit  
8 under that subsection, applies to the credit under this subsection.

9           **SECTION 1107.** 71.10 (4) (hd) of the statutes is created to read:

10           71.10 (4) (hd) Family caregiver tax credit under s. 71.07 (8p).”.

11           **188.** Page 374, line 11: after that line insert:

12           “**SECTION 1108.** 71.05 (6) (a) 15. of the statutes is amended to read:

13           71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dm),  
14 (2dx), (2dy), (3g), (3h), (3n), (3q), (3s), (3t), (3w), (3wm), (3y), (4k), (4n), (5e), (5i), (5j),  
15 (5k), (5r), (5rm), (6n), (8m), and (10) and not passed through by a partnership, limited  
16 liability company, or tax-option corporation that has added that amount to the  
17 partnership’s, company’s, or tax-option corporation’s income under s. 71.21 (4) or  
18 71.34 (1k) (g).

19           **SECTION 1109.** 71.07 (8m) of the statutes is created to read:

20           71.07 (8m) UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions.* In this  
21 subsection:

22           1. “Claimant” means a sole proprietor, a partner of a partnership, a member  
23 of a limited liability company, or a shareholder of a tax-option corporation who files

1 a claim under this subsection and meets either of the following conditions during the  
2 preceding taxable year:

3 a. Had gross receipts that did not exceed \$1,000,000.

4 b. Employed no more than 30 full-time employees.

5 2. “Full-time employee” means an individual who is employed for at least 30  
6 hours per week for 20 or more calendar weeks during a taxable year.

7 3. “Universal changing station” means a powered and height-adjustable adult  
8 changing table that is either floor mounted or wall mounted with a safety rail and  
9 can be used by an individual with a disability of either sex and the individual’s care  
10 provider for personal hygiene and that satisfies all of the following:

11 a. The changing table can lower to a height of 8 inches and raise to a height of  
12 34 inches.

13 b. The changing table is at least 31 inches wide by 72 inches long.

14 c. The changing table supports at least 350 pounds.

15 (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject  
16 to the limitations provided in this subsection, a claimant may claim as a credit  
17 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount  
18 equal to 50 percent of the amount the claimant paid during the taxable year to install  
19 a universal changing station.

20 (c) *Limitations.* 1. No credit may be claimed under this subsection unless the  
21 universal changing station is installed in a single-occupant restroom that measures  
22 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider  
23 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap  
24 dispenser, and a paper towel dispenser; and that complies with accessibility  
25 standards under the federal Americans with Disabilities Act.

1           2. The credit claimed under this subsection may not exceed \$5,125.

2           3. Partnerships, limited liability companies, and tax-option corporations may  
3 not claim the credit under this subsection, but the eligibility for, and the amount of,  
4 the credit are based on the amounts paid by the entity. A partnership, limited  
5 liability company, or tax-option corporation shall compute the amount of credit that  
6 each of its partners, members, or shareholders may claim and shall provide that  
7 information to each of them. Partners, members, and shareholders may claim the  
8 credit in proportion to their ownership interests.

9           (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under  
10 s. 71.28 (4), applies to the credit under this subsection.

11           **SECTION 1110.** 71.10 (4) (ha) of the statutes is created to read:

12           71.10 (4) (ha) Universal changing station credit under s. 71.07 (8m).

13           **SECTION 1111.** 71.21 (4) (a) of the statutes is amended to read:

14           71.21 (4) (a) The amount of the credits computed by a partnership under s.  
15 71.07 (2dm), (2dx), (2dy), (3g), (3h), (3n), (3q), (3s), (3t), (3w), (3wm), (3y), (4k), (4n),  
16 (5e), (5g), (5i), (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and passed through to  
17 partners shall be added to the partnership's income.

18           **SECTION 1112.** 71.26 (2) (a) 4. of the statutes is amended to read:

19           71.26 (2) (a) 4. Plus the amount of the credit computed under s. 71.28 (1dm),  
20 (1dx), (1dy), (3g), (3h), (3n), (3q), (3t), (3w), (3wm), (3y), (5e), (5g), (5i), (5j), (5k), (5r),  
21 (5rm), (6n), (8m), and (10) and not passed through by a partnership, limited liability  
22 company, or tax-option corporation that has added that amount to the partnership's,  
23 limited liability company's, or tax-option corporation's income under s. 71.21 (4) or  
24 71.34 (1k) (g).

25           **SECTION 1113.** 71.28 (8m) of the statutes is created to read:

1           71.28 **(8m)** UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions*. In this  
2 subsection:

3           1. “Claimant” means a person who files a claim under this subsection and meets  
4 either of the following conditions during the preceding taxable year:

5           a. Had gross receipts that did not exceed \$1,000,000.

6           b. Employed no more than 30 full-time employees.

7           2. “Full-time employee” means an individual who is employed for at least 30  
8 hours per week for 20 or more calendar weeks during a taxable year.

9           3. “Universal changing station” has the meaning given in s. 71.07 (8m) (a) 3.

10          (b) *Filing claims*. For taxable years beginning after December 31, 2022, subject  
11 to the limitations provided in this subsection, a claimant may claim as a credit  
12 against the tax imposed under s. 71.23, up to the amount of those taxes, an amount  
13 equal to 50 percent of the amount the claimant paid during the taxable year to install  
14 a universal changing station.

15          (c) *Limitations*. 1. No credit may be claimed under this subsection unless the  
16 universal changing station is installed in a single-occupant restroom that measures  
17 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider  
18 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap  
19 dispenser, and a paper towel dispenser; and that complies with accessibility  
20 standards under the federal Americans with Disabilities Act.

21          2. The credit claimed under this subsection may not exceed \$5,125.

22          3. Partnerships, limited liability companies, and tax-option corporations may  
23 not claim the credit under this subsection, but the eligibility for, and the amount of,  
24 the credit are based on the amounts paid by the entity. A partnership, limited  
25 liability company, or tax-option corporation shall compute the amount of credit that

1 each of its partners, members, or shareholders may claim and shall provide that  
2 information to each of them. Partners, members, and shareholders may claim the  
3 credit in proportion to their ownership interests.

4 (d) *Administration*. Sub. (4) (e) to (h), as it applies to the credit under sub. (4),  
5 applies to the credit under this subsection.

6 **SECTION 1114.** 71.30 (3) (cu) of the statutes is created to read:

7 71.30 (3) (cu) Universal changing station credit under s. 71.28 (8m).

8 **SECTION 1115.** 71.34 (1k) (g) of the statutes is amended to read:

9 71.34 (1k) (g) An addition shall be made for credits computed by a tax-option  
10 corporation under s. 71.28 (1dm), (1dx), (1dy), (3), (3g), (3h), (3n), (3q), (3t), (3w),  
11 (3wm), (3y), (4), (5), (5e), (5g), (5i), (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and  
12 passed through to shareholders.

13 **SECTION 1116.** 71.45 (2) (a) 10. of the statutes is amended to read:

14 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit  
15 computed under s. 71.47 (1dm) to (1dy), (3g), (3h), (3n), (3q), (3w), (3y), (5e), (5g), (5i),  
16 (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and not passed through by a partnership,  
17 limited liability company, or tax-option corporation that has added that amount to  
18 the partnership's, limited liability company's, or tax-option corporation's income  
19 under s. 71.21 (4) or 71.34 (1k) (g) and the amount of credit computed under s. 71.47  
20 (3), (3t), (4), (4m), and (5).

21 **SECTION 1117.** 71.47 (8m) of the statutes is created to read:

22 71.47 (8m) UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions*. In this  
23 subsection:

24 1. "Claimant" means a person who files a claim under this subsection and meets  
25 either of the following conditions during the preceding taxable year:

- 1           a. Had gross receipts that did not exceed \$1,000,000.
- 2           b. Employed no more than 30 full-time employees.
- 3           2. “Full-time employee” means an individual who is employed for at least 30  
4 hours per week for 20 or more calendar weeks during a taxable year.
- 5           3. “Universal changing station” has the meaning given in s. 71.07 (8m) (a) 3.
- 6           (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject  
7 to the limitations provided in this subsection, a claimant may claim as a credit  
8 against the tax imposed under s. 71.43, up to the amount of those taxes, an amount  
9 equal to 50 percent of the amount the claimant paid during the taxable year to install  
10 a universal changing station.
- 11           (c) *Limitations.* 1. No credit may be claimed under this subsection unless the  
12 universal changing station is installed in a single-occupant restroom that measures  
13 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider  
14 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap  
15 dispenser, and a paper towel dispenser; and that complies with accessibility  
16 standards under the federal Americans with Disabilities Act.
- 17           2. The credit claimed under this subsection may not exceed \$5,125.
- 18           3. Partnerships, limited liability companies, and tax-option corporations may  
19 not claim the credit under this subsection, but the eligibility for, and the amount of,  
20 the credit are based on the amounts paid by the entity. A partnership, limited  
21 liability company, or tax-option corporation shall compute the amount of credit that  
22 each of its partners, members, or shareholders may claim and shall provide that  
23 information to each of them. Partners, members, and shareholders may claim the  
24 credit in proportion to their ownership interests.

1 (d) *Administration*. Section 71.28 (4) (e) to (h), as it applies to the credit under  
2 s. 71.28 (4), applies to the credit under this subsection.

3 **SECTION 1118.** 71.49 (1) (cu) of the statutes is created to read:

4 71.49 (1) (cu) Universal changing station credit under s. 71.47 (8m).”.

5 **189.** Page 374, line 11: after that line insert:

6 “**SECTION 1119.** 71.26 (3) (j) of the statutes is amended to read:

7 71.26 (3) (j) Sections 243, 244, 245, 245A, 246 and 246A are excluded and  
8 replaced by the rule that corporations may deduct from income dividends received  
9 from a corporation with respect to its common stock if the corporation receiving the  
10 dividends owns, directly or indirectly, during the entire taxable year at least 70  
11 percent of the total combined voting stock of the payor corporation. In this  
12 paragraph, “dividends received” means gross dividends minus taxes on those  
13 dividends paid to a foreign nation and claimed as a deduction under this chapter. The  
14 same dividends may not be deducted more than once and may not be used in the  
15 determination of a net business loss under ss. 71.26 (4) and 71.45 (4).

16 **SECTION 1120.** 71.26 (4) (a) of the statutes is amended to read:

17 71.26 (4) (a) Except as provided in par. (b) and s. 71.80 (25), a corporation,  
18 except a tax-option corporation or an insurer to which s. 71.45 (4) applies, may offset  
19 against its Wisconsin net business income any Wisconsin net business loss incurred  
20 in any of the 20 immediately preceding taxable years, if the corporation was subject  
21 to taxation under this chapter in the taxable year in which the loss was incurred, to  
22 the extent not offset by other items of Wisconsin income in the loss year and by  
23 Wisconsin net business income of any year between the loss year and the taxable year  
24 for which an offset is claimed. For purposes of this subsection, Wisconsin net



1 business income or loss shall consist of all the income attributable to the operation  
2 of a trade or business in this state, less the business expenses allowed as deductions  
3 in computing net income, except that the dividends received deduction under sub. (3)  
4 (j) may not be used in the determination of a net business loss. The Wisconsin net  
5 business income or loss of corporations engaged in business within and without the  
6 state shall be determined under s. 71.25 (6) and (10) to (12). Nonapportionable losses  
7 having a Wisconsin situs under s. 71.25 (5) (b) shall be included in Wisconsin net  
8 business loss; and nonapportionable income having a Wisconsin situs under s. 71.25  
9 (5) (b), whether taxable or exempt, shall be included in other items of Wisconsin  
10 income and Wisconsin net business income for purposes of this subsection.

11 **SECTION 1121.** 71.45 (4) (a) of the statutes is amended to read:

12 71.45 (4) (a) Except as provided in par. (b) and s. 71.80 (25), insurers computing  
13 tax under this subchapter may subtract from Wisconsin net income any Wisconsin  
14 net business loss incurred in any of the 20 immediately preceding taxable years, if  
15 the insurer was subject to taxation under this chapter in the taxable year in which  
16 the loss was incurred, to the extent not offset by Wisconsin net business income of  
17 any year between the loss year and the taxable year for which an offset is claimed  
18 and computed without regard to sub. (2) (a) 8. and 9. and this subsection and limited  
19 to the amount of net income, but no loss incurred for a taxable year before taxable  
20 year 1987 by a nonprofit service plan of sickness care under ch. 148, or dental care  
21 under s. 447.13 may be treated as a net business loss of the successor service insurer  
22 under ch. 613 operating by virtue of s. 148.03 or 447.13. For purposes of this  
23 paragraph, the dividends received deduction under s. 71.26 (3) (j) may not be used  
24 in the determination of a net business loss.

25 **SECTION 9337. Initial applicability; Revenue.**

1 (1) DIVIDENDS RECEIVED DEDUCTION. The treatment of ss. 71.26 (3) (j) and (4) (a)  
2 and 71.45 (4) (a) first applies to taxable years beginning after December 31, 2022.”.

3 **190.** Page 374, line 11: after that line insert:

4 “**SECTION 1122.** 71.05 (8) (a) of the statutes is amended to read:

5 71.05 (8) (a) ~~The carry back of losses to reduce income of prior years may be~~  
6 ~~permitted for 2 taxable years.~~ There shall be added any amount deducted as a federal  
7 net operating loss ~~carry-back or carry-over~~ and there shall be subtracted for the first  
8 taxable year for which the subtraction may be made any Wisconsin net operating loss  
9 ~~carry-back or carry-forward~~ allowable under par. (b) in an amount not in excess of  
10 the Wisconsin taxable income computed before the deduction of the Wisconsin net  
11 operating loss ~~carry-back or carry-forward~~.

12 **SECTION 1123.** 71.05 (8) (b) 1. of the statutes is renumbered 71.05 (8) (b) and  
13 amended to read:

14 71.05 (8) (b) Except as provided in s. 71.80 (25), a Wisconsin net operating loss  
15 may be ~~carried back against Wisconsin taxable income of the previous 2 years and~~  
16 ~~then~~ carried forward against Wisconsin taxable incomes of the next 20 taxable years,  
17 if the taxpayer was subject to taxation under this chapter in the taxable year in which  
18 the loss was incurred, to the extent not offset against other income of the year of loss  
19 and to the extent not offset against Wisconsin modified taxable income ~~of the 2 years~~  
20 ~~preceding the loss and~~ of any year between the loss year and the taxable year for  
21 which the loss carry-forward is claimed. In this paragraph, “Wisconsin modified  
22 taxable income” means Wisconsin taxable income with the following exceptions: a  
23 net operating loss deduction or offset for the loss year or any taxable year ~~before or~~  
24 thereafter is not allowed, the deduction for long-term capital gains under subs. (6)

1 (b) 9. and 9m., (25), and (25m) is not allowed, the amount deductible for losses from  
2 sales or exchanges of capital assets may not exceed the amount includable in income  
3 for gains from sales or exchanges of capital assets and “Wisconsin modified taxable  
4 income” may not be less than zero.

5 **SECTION 1124.** 71.05 (8) (b) 2. of the statutes is repealed.

6 **SECTION 1125.** 71.05 (8) (c) of the statutes is repealed.

7 **SECTION 1126.** 71.80 (25) (a) of the statutes is renumbered 71.80 (25) and  
8 amended to read:

9 71.80 (25) NET OPERATING AND BUSINESS LOSS CARRY-FORWARD ~~AND CARRY-BACK.~~  
10 No offset of Wisconsin income may be made under s. 71.05 (8) (b) ~~1~~, 71.26 (4) (a), or  
11 71.45 (4) (a) unless the incurred loss was computed on a return that was filed within  
12 4 years of the unextended due date for filing the original return for the taxable year  
13 in which the loss was incurred.

14 **SECTION 1127.** 71.80 (25) (b) of the statutes is repealed.

15 **SECTION 9337. Initial applicability; Revenue.**

16 (1) NET OPERATING LOSSES. The treatment of ss. 71.05 (8) (a), (b) 1. and 2., and  
17 (c) and 71.80 (25) (a) and (b) first applies to taxable years beginning after December  
18 31, 2022.”.

19 **191.** Page 374, line 11: after that line insert:

20 “**SECTION 1128.** 71.05 (6) (b) 4. (intro.) of the statutes is amended to read:

21 71.05 (6) (b) 4. (intro.) ~~Disability~~ For taxable years beginning before January  
22 1, 2023, disability payments other than disability payments that are paid from a  
23 retirement plan, the payments from which are exempt under ~~subd. subds. 54. and~~  
24 54m. and sub. (1) (am) and (an), if the individual either is single or is married and

1 files a joint return and is under 65 years of age before the close of the taxable year  
2 to which the subtraction relates, retired on disability, and, when the individual  
3 retired, was permanently and totally disabled. In this subdivision, “permanently  
4 and totally disabled” means an individual who is unable to engage in any substantial  
5 gainful activity by reason of any medically determinable physical or mental  
6 impairment that can be expected to result in death or which has lasted or can be  
7 expected to last for a continuous period of not less than 12 months. An individual  
8 shall not be considered permanently and totally disabled for purposes of this  
9 subdivision unless proof is furnished in such form and manner, and at such times,  
10 as prescribed by the department. The exclusion under this subdivision shall be  
11 determined as follows:

12 **SECTION 1129.** 71.05 (6) (b) 4m. of the statutes is created to read:

13 71.05 (6) (b) 4m. For taxable years beginning after December 31, 2022,  
14 disability payments other than disability payments that are paid from a retirement  
15 plan, the payments from which are exempt under subds. 54. and 54m. and sub. (1)  
16 (am) and (an), if the individual is under 65 years of age before the close of the taxable  
17 year to which the subtraction relates, retired on disability, and, when the individual  
18 retired, was permanently and totally disabled. In this subdivision, “permanently  
19 and totally disabled” means an individual who is unable to engage in any substantial  
20 gainful activity by reason of any medically determinable physical or mental  
21 impairment that can be expected to result in death or which has lasted or can be  
22 expected to last for a continuous period of not less than 12 months. An individual  
23 shall not be considered permanently and totally disabled for purposes of this  
24 subdivision unless proof is furnished in such form and manner, and at such times,

1 as prescribed by the department. The exclusion under this subdivision shall be  
2 determined as follows:

3 a. If the individual is single or files as a head of household and the individual's  
4 federal adjusted gross income in the year to which the subtraction relates is less than  
5 \$30,000, the maximum subtraction is \$5,500 or the amount of disability pay reported  
6 as income, whichever is less.

7 b. If the individual is married and is a joint filer and the couple's federal  
8 adjusted gross income in the year to which the subtraction relates is less than  
9 \$60,000, the maximum subtraction is \$5,500 per spouse that is disabled or the  
10 amount of disability pay reported as income, whichever is less.

11 c. If the individual is married and files a separate return and the sum of both  
12 spouses' federal adjusted gross income in the year to which the subtraction relates  
13 is less than \$60,000, the maximum subtraction is \$5,500 or the amount of disability  
14 pay reported as income, whichever is less."

15 **192.** Page 374, line 11: after that line insert:

16 "SECTION 1130. 77.54 (62) of the statutes is repealed.

17 **SECTION 9437. Effective dates; Revenue.**

18 (1) SALES AND USE TAX EXEMPTION FOR FARM-RAISED DEER. The treatment of s.  
19 77.54 (62) takes effect on the first day of the 3rd month beginning after publication."

20 **193.** Page 374, line 11: after that line insert:

21 "SECTION 1131. 238.399 (3) (a) of the statutes is amended to read:

22 238.399 (3) (a) The corporation may designate ~~any number of~~ not more than  
23 30 enterprise zones in this state.

24 **SECTION 1132.** 238.399 (3) (am) of the statutes is repealed.

1           **SECTION 1133.** 238.399 (3) (em) of the statutes is created to read:

2           238.399 (3) (em) If the corporation revokes all certifications for tax benefits  
3 within a designated enterprise zone or all certifications for tax benefits within a  
4 designated enterprise zone expire, the corporation may cancel the designation of that  
5 enterprise zone. After canceling the designation of an enterprise zone, the  
6 corporation may designate a new enterprise zone subject to the limits under this  
7 subsection.

8           **SECTION 9149. Nonstatutory provisions; Wisconsin Economic**  
9 **Development Corporation.**

10           (1) ENTERPRISE ZONE DESIGNATION LIMIT. The treatment of s. 238.399 (3) (a) may  
11 not be construed to require that the Wisconsin Economic Development Corporation  
12 revoke a certification for tax benefits under s. 238.399 that is in effect on the effective  
13 date of this subsection.”.

14           **194.** Page 374, line 11: after that line insert:

15           “**SECTION 1.** 139.44 (4) of the statutes is amended to read:

16           139.44 (4) Any person who refuses to permit the examination or inspection  
17 authorized in s. 139.39 (2) or 139.83 (1) may be fined not more than \$500 or  
18 imprisoned not more than 90 days or both. Such refusal shall be cause for immediate  
19 suspension or revocation of permit by the secretary.

20           **SECTION 2.** 139.75 (1m) of the statutes is created to read:

21           139.75 (1m) “Cigar” means a roll, of any size or shape, of tobacco for smoking  
22 that is made wholly or in part of tobacco, regardless of whether the tobacco is pure,  
23 flavored, adulterated, or mixed with an ingredient, if the roll has a wrapper made  
24 wholly or in part of tobacco.

1           **SECTION 3.** 139.75 (4t) of the statutes is created to read:

2           139.75 (4t) “Little cigar” means a cigar that has an integrated cellulose acetate  
3 filter and is wrapped in a substance containing tobacco.

4           **SECTION 4.** 139.75 (12) of the statutes is amended to read:

5           139.75 (12) “Tobacco products” means cigars; little cigars; cheroots; stogies;  
6 periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco;  
7 snuff, including moist snuff; snuff flour; cavendish; plug and twist tobacco; fine cut  
8 and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings  
9 of tobacco and other kinds and forms of tobacco prepared in such manner as to be  
10 suitable for chewing or smoking in a pipe or otherwise, or both for chewing and  
11 smoking; but “tobacco products” does not include cigarettes, as defined under s.  
12 139.30 (1m).

13           **SECTION 5.** 139.76 (1) of the statutes is amended to read:

14           139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,  
15 possession with intent to sell or removal for consumption or sale or other disposition  
16 for any purpose of tobacco products by any person engaged as a distributor of them  
17 at the rate, for tobacco products, not including moist snuff and vapor products, of 71  
18 percent of the manufacturer’s established list price ~~to distributors without~~  
19 ~~diminution by volume or other discounts on domestic products~~ and, for moist snuff,  
20 at the rate of 100 percent of the manufacturer’s established list price ~~to distributors~~  
21 ~~without diminution by volume or other discounts on domestic products~~. The tax  
22 imposed under this subsection on cigars shall not exceed an amount equal to 50 cents  
23 for each cigar. ~~On products imported from another country, not including moist snuff~~  
24 ~~and vapor products, the rate of tax is 71 percent of the amount obtained by adding~~  
25 ~~the manufacturer’s list price to the federal tax, duties and transportation costs to the~~

1 ~~United States. On moist snuff imported from another country, the rate of the tax is~~  
2 ~~100 percent of the amount obtained by adding the manufacturer's list price to the~~  
3 ~~federal tax, duties, and transportation costs to the United States. The tax attaches~~  
4 ~~at the time the tobacco products are received by the distributor in this state. The tax~~  
5 ~~shall be passed on to the ultimate consumer of the tobacco products. All tobacco~~  
6 ~~products received in this state for sale or distribution within this state, except~~  
7 ~~tobacco products actually sold as provided in sub. (2), shall be subject to such tax.~~

8 **SECTION 6u.** 139.76 (1) of the statutes, as affected by 2023 Wisconsin Act ...  
9 (this act), is amended to read:

10 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,  
11 possession with intent to sell or removal for consumption or sale or other disposition  
12 for any purpose of tobacco products by any person engaged as a distributor of them  
13 at the rate, for tobacco products, not including moist snuff and ~~vapor products~~ little  
14 cigars, of 71 percent of the manufacturer's list price and, for moist snuff, at the rate  
15 of 100 percent of the manufacturer's list price. The tax imposed under this  
16 subsection on cigars, except little cigars, shall not exceed an amount equal to 50 cents  
17 for each cigar. The tax attaches at the time the tobacco products are received by the  
18 distributor in this state. The tax shall be passed on to the ultimate consumer of the  
19 tobacco products. All tobacco products received in this state for sale or distribution  
20 within this state, except tobacco products actually sold as provided in sub. (2), shall  
21 be subject to such tax.

22 **SECTION 7.** 139.76 (1b) of the statutes is created to read:

23 139.76 (1b) The tax under sub. (1) is imposed on little cigars at the rate of 126  
24 mills on each little cigar, regardless of weight. To evidence payment of the tax  
25 imposed under this section on little cigars, the department shall provide stamps. A



1 person who has paid the tax shall affix stamps of the proper denomination to each  
2 package in which little cigars are packed, prior to the first sale within this state.  
3 Section 139.32 as it applies to the tax under s. 139.31 applies to the tax imposed  
4 under this section on little cigars.

5 **SECTION 8.** 139.78 (1) of the statutes is amended to read:

6 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco  
7 products in this state at the rate, for tobacco products, not including moist snuff and  
8 vapor products, of 71 percent of the ~~cost of the tobacco products~~ manufacturer's list  
9 price and, for moist snuff, at the rate of 100 percent of the manufacturer's established  
10 list price ~~to distributors without diminution by volume or other discounts on~~  
11 ~~domestic products.~~ The tax imposed under this subsection on cigars shall not exceed  
12 an amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed  
13 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are  
14 exempt from the tobacco products tax under s. 139.76 (2).

15 **SECTION 9u.** 139.78 (1) of the statutes, as affected by 2023 Wisconsin Act ....  
16 (this act), is amended to read:

17 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco  
18 products in this state at the rate, for tobacco products, not including moist snuff and  
19 ~~vapor products~~ little cigars, of 71 percent of the manufacturer's list price and, for  
20 moist snuff, at the rate of 100 percent of the manufacturer's list price. The tax  
21 imposed under this subsection on cigars, except little cigars, shall not exceed an  
22 amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed  
23 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are  
24 exempt from the tobacco products tax under s. 139.76 (2).

25 **SECTION 10.** 139.78 (1b) of the statutes is created to read:

1           139.78 (1b) A tax is imposed and levied upon the use or storage of little cigars  
2 in this state by any person for any purpose. The tax is levied and shall be collected  
3 at the same rate as provided for in s. 139.76 (1b). The tax under this subsection does  
4 not apply if the tax imposed by s. 139.76 (1) has been paid or if the little cigars are  
5 exempt from tax under s. 139.76 (2).

6           **SECTION 11.** 139.83 of the statutes is renumbered 139.83 (1).

7           **SECTION 12.** 139.83 (2) of the statutes is created to read:

8           139.83 (2) Sections 139.315, 139.32, 139.321, 139.322, 139.34, 139.35, 139.36,  
9 139.362, 139.363, 139.38, 139.395, 139.41, 139.42, 139.43, and 139.44 (8), as they  
10 apply to the taxes under subch. II, apply to the administration and enforcement of  
11 this subchapter for little cigars.

12           **SECTION 9437. Effective dates; Revenue.**

13           (1) LITTLE CIGARS. The treatment of ss. 139.44 (4), 139.75 (1m), (4t), and (12),  
14 139.76 (1) (by SECTION 6u) and (1b), and 139.78 (1) (by SECTION 9u) and (1b), the  
15 renumbering of s. 139.83, and the creation of s. 139.83 (2) take effect on the first day  
16 of the 3rd month beginning after publication.”.

17           **195.** Page 374, line 11: after that line insert:

18           “**SECTION 1134.** 71.07 (3w) (a) 2m. of the statutes is created to read:

19           71.07 (3w) (a) 2m. “Contract” means the contract between the claimant and the  
20 Wisconsin Economic Development Corporation under s. 238.399.

21           **SECTION 1135.** 71.07 (3w) (a) 6. of the statutes is renumbered 71.07 (3w) (a) 6.  
22 a. and amended to read:

23           71.07 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is  
24 attributable to wages paid to full-time employees for services that are performed in

1 an enterprise zone. ~~“Zone~~ Except as provided in subd. 6. b., “zone payroll” does not  
2 include the amount of wages paid to any full-time employees that exceeds \$100,000.

3 **SECTION 1136.** 71.07 (3w) (a) 6. b. of the statutes is created to read:

4 71.07 (3w) (a) 6. b. For a claimant whose contract is executed after December  
5 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time  
6 employees that exceeds \$141,300.

7 **SECTION 1137.** 71.07 (3w) (b) (intro.) of the statutes is amended to read:

8 71.07 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject  
9 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,  
10 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit  
11 against the tax imposed under s. 71.02 or 71.08 an amount calculated as follows:

12 **SECTION 1138.** 71.07 (3w) (bd) of the statutes is created to read:

13 71.07 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the  
14 limitations provided in this subsection and s. 238.399, a claimant whose contract is  
15 executed after December 31, 2023, may claim as a credit against the tax imposed  
16 under s. 71.02 an amount calculated as follows:

17 1. Determine the amount that is the lesser of:

18 a. The number of full-time employees whose annual wages are greater than  
19 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
20 or municipality and who the claimant employed in the enterprise zone in the taxable  
21 year, minus the number of full-time employees whose annual wages were greater  
22 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II  
23 county or municipality and who the claimant employed in the area that comprises  
24 the enterprise zone in the base year.

1           b. The number of full-time employees whose annual wages are greater than  
2           \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
3           or municipality and who the claimant employed in the state in the taxable year,  
4           minus the number of full-time employees whose annual wages were greater than  
5           \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
6           or municipality and who the claimant employed in the state in the base year.

7           2. Determine the claimant's average zone payroll by dividing total wages for  
8           full-time employees whose annual wages are greater than \$32,000 in a tier I county  
9           or municipality or greater than \$42,390 in a tier II county or municipality and who  
10          the claimant employed in the enterprise zone in the taxable year by the number of  
11          full-time employees whose annual wages are greater than \$32,000 in a tier I county  
12          or municipality or greater than \$42,390 in a tier II county or municipality and who  
13          the claimant employed in the enterprise zone in the taxable year.

14          3. For employees in a tier I county or municipality, subtract \$32,000 from the  
15          amount determined under subd. 2. and for employees in a tier II county or  
16          municipality, subtract \$42,390 from the amount determined under subd. 2.

17          4. Multiply the amount determined under subd. 3. by the amount determined  
18          under subd. 1.

19          5. Multiply the amount determined under subd. 4. by the percentage  
20          determined by under s. 238.399, not to exceed 7 percent.

21          **SECTION 1139.** 71.07 (3w) (bm) 1. of the statutes is amended to read:

22          71.07 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and  
23          subds. 2., ~~3., and 4.~~ to 5., and subject to the limitations provided in this subsection  
24          and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the  
25          tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as determined

1 under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount  
2 the claimant paid in the taxable year to upgrade or improve the job-related skills of  
3 any of the claimant's full-time employees, to train any of the claimant's full-time  
4 employees on the use of job-related new technologies, or to provide job-related  
5 training to any full-time employee whose employment with the claimant represents  
6 the employee's first full-time job. This subdivision does not apply to employees who  
7 do not work in an enterprise zone.

8 **SECTION 1140.** 71.07 (3w) (bm) 2. of the statutes is renumbered 71.07 (3w) (bm)  
9 2. (intro.) and amended to read:

10 71.07 (**3w**) (bm) 2. (intro.) In addition to the credits under ~~par. pars.~~ par. (b) and (bd)  
11 and subds. 1., 3., ~~and 4., and 5.,~~ and subject to the limitations provided in this  
12 subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit  
13 against the tax imposed under s. 71.02 or 71.08 one of the following amounts:

14 a. For a claimant whose contract is executed prior to January 1, 2024, an  
15 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009  
16 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year  
17 to all of the claimant's full-time employees whose annual wages are greater than the  
18 amount determined by multiplying 2,080 by 150 percent of the federal minimum  
19 wage in a tier I county or municipality, not including the wages paid to the employees  
20 determined under par. (b) 1., or greater than \$30,000 in a tier II county or  
21 municipality, not including the wages paid to the employees determined under par.  
22 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if  
23 the total number of such employees is equal to or greater than the total number of  
24 such employees in the base year. ~~A claimant may claim a credit under this~~  
25 ~~subdivision for no more than 5 consecutive taxable years.~~

1           **SECTION 1141.** 71.07 (3w) (bm) 2. b. of the statutes is created to read:

2           71.07 (3w) (bm) 2. b. For a claimant whose contract is executed after December  
3           31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to  
4           exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the  
5           claimant's full-time employees whose annual wages are greater than \$32,000 in a  
6           tier I county or municipality, not including the wages paid to the employees  
7           determined under par. (bd) 1., or greater than \$42,390 in a tier II county or  
8           municipality, not including the wages paid to the employees determined under par.  
9           (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if  
10          the total number of such employees is equal to or greater than the total number of  
11          such employees in the base year.

12          **SECTION 1142.** 71.07 (3w) (bm) 3. of the statutes is amended to read:

13          71.07 (3w) (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and  
14          subds. 1., 2., ~~and 4., and 5.,~~ and subject to the limitations provided in this subsection  
15          and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December  
16          31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.02 or  
17          71.08 up to 10 percent of the claimant's significant capital expenditures, as  
18          determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

19          **SECTION 1143.** 71.07 (3w) (bm) 4. of the statutes is amended to read:

20          71.07 (3w) (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and  
21          subds. 1., 2., ~~and 3., and 5.,~~ and subject to the limitations provided in this subsection  
22          and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December  
23          31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.02 or  
24          71.08, up to 1 percent of the amount that the claimant paid in the taxable year to  
25          purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b),

1 (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e)  
2 or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit  
3 under this subdivision and subd. 3. for the same expenditures.

4 **SECTION 1144.** 71.07 (3w) (bm) 5. of the statutes is renumbered 71.07 (3w) (bm)  
5 5. (intro.) and amended to read:

6 71.07 (3w) (bm) 5. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)  
7 and subds. 1. to 4., and subject to the limitations provided in this subsection and s.  
8 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number  
9 of full-time employees determined under s. 238.399 (5) (f) and maintained average  
10 zone payroll for the taxable year equal to or greater than the base year may claim  
11 as a credit against the tax imposed under s. 71.02 or 71.08 one of the following  
12 amounts:

13 a. For a claimant whose contract is executed prior to January 1, 2024, an  
14 amount equal to the percentage, as determined by the Wisconsin Economic  
15 Development Corporation, of the claimant's zone payroll paid in the 12 months prior  
16 to the certification date to the claimant's full-time employees in the enterprise zone  
17 whose annual wages are greater than the amount determined by multiplying 2,080  
18 by 150 percent of the federal minimum wage in a tier I county or municipality or  
19 greater than \$30,000 in a tier II county or municipality. ~~The amount that the~~  
20 ~~claimant may claim as credit under this subdivision for a taxable year shall not~~  
21 ~~exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more~~  
22 ~~than 5 consecutive taxable years.~~

23 **SECTION 1145.** 71.07 (3w) (bm) 5. b. of the statutes is created to read:

24 71.07 (3w) (bm) 5. b. For a claimant whose contract is executed after December  
25 31, 2023, an amount equal to the percentage, as determined by the Wisconsin

1 Economic Development Corporation, of the claimant's zone payroll paid in the 12  
2 months prior to the certification date to the claimant's full-time employees in the  
3 enterprise zone whose annual wages are greater than \$32,000 in a tier I county or  
4 municipality or greater than \$42,390 in a tier II county or municipality.

5 **SECTION 1146.** 71.07 (3w) (c) 5. of the statutes is created to read:

6 71.07 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more  
7 than 5 consecutive taxable years.

8 **SECTION 1147.** 71.07 (3w) (c) 6. of the statutes is created to read:

9 71.07 (3w) (c) 6. The amount that a claimant may claim as credit under par.  
10 (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit  
11 under par. (bm) 5. for no more than 5 consecutive taxable years.

12 **SECTION 1148.** 71.07 (3w) (cm) of the statutes is created to read:

13 71.07 (3w) (cm) *Inflation adjustments.* For taxable years beginning after  
14 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,  
15 and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the  
16 percentage change between the U.S. consumer price index for all urban consumers,  
17 U.S. city average, for the month of August of the previous year and the U.S. consumer  
18 price index for all urban consumers, U.S. city average, for the month of August of the  
19 year before the previous year, as determined by the federal department of labor.  
20 Each amount that is revised under this paragraph shall be rounded to the nearest  
21 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount  
22 is a multiple of \$5, such an amount shall be increased to the next higher multiple of  
23 \$10.

24 **SECTION 1149.** 71.28 (3w) (a) 2m. of the statutes is created to read:



1           71.28 (3w) (a) 2m. “Contract” means a contract between the claimant and the  
2 Wisconsin Economic Development Corporation under s. 238.399.

3           **SECTION 1150.** 71.28 (3w) (a) 6. of the statutes is renumbered 71.28 (3w) (a) 6.  
4 a. and amended to read:

5           71.28 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is  
6 attributable to wages paid to full-time employees for services that are performed in  
7 an enterprise zone. “Zone Except as provided in subd. 6. b., “zone payroll” does not  
8 include the amount of wages paid to any full-time employees that exceeds \$100,000.

9           **SECTION 1151.** 71.28 (3w) (a) 6. b. of the statutes is created to read:

10           71.28 (3w) (a) 6. b. For a claimant whose contract is executed after December  
11 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time  
12 employees that exceeds \$141,300.

13           **SECTION 1152.** 71.28 (3w) (b) (intro.) of the statutes is amended to read:

14           71.28 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject  
15 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,  
16 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit  
17 against the tax imposed under s. 71.23 an amount calculated as follows:

18           **SECTION 1153.** 71.28 (3w) (bd) of the statutes is created to read:

19           71.28 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the  
20 limitations provided in this subsection and s. 238.399, a claimant whose contract is  
21 executed after December 31, 2023, may claim as a credit against the tax imposed  
22 under s. 71.23 an amount calculated as follows:

23           1. Determine the amount that is the lesser of:

24           a. The number of full-time employees whose annual wages are greater than  
25 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county

1 or municipality and who the claimant employed in the enterprise zone in the taxable  
2 year, minus the number of full-time employees whose annual wages were greater  
3 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II  
4 county or municipality and who the claimant employed in the area that comprises  
5 the enterprise zone in the base year.

6 b. The number of full-time employees whose annual wages are greater than  
7 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
8 or municipality and who the claimant employed in the state in the taxable year,  
9 minus the number of full-time employees whose annual wages were greater than  
10 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
11 or municipality and who the claimant employed in the state in the base year.

12 2. Determine the claimant's average zone payroll by dividing total wages for  
13 full-time employees whose annual wages are greater than \$32,000 in a tier I county  
14 or municipality or greater than \$42,390 in a tier II county or municipality and who  
15 the claimant employed in the enterprise zone in the taxable year by the number of  
16 full-time employees whose annual wages are greater than \$32,000 in a tier I county  
17 or municipality or greater than \$42,390 in a tier II county or municipality and who  
18 the claimant employed in the enterprise zone in the taxable year.

19 3. For employees in a tier I county or municipality, subtract \$32,000 from the  
20 amount determined under subd. 2. and for employees in a tier II county or  
21 municipality, subtract \$42,390 from the amount determined under subd. 2.

22 4. Multiply the amount determined under subd. 3. by the amount determined  
23 under subd. 1.

24 5. Multiply the amount determined under subd. 4. by the percentage  
25 determined under s. 238.399, not to exceed 7 percent.

1           **SECTION 1154.** 71.28 (3w) (bm) 1. of the statutes is amended to read:

2           71.28 (3w) (bm) 1. In addition to the credits under ~~par. pars.~~ par. (b) and (bd) and  
3           subds. ~~2., 3., and 4.~~ to 5., and subject to the limitations provided in this subsection  
4           and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the  
5           tax imposed under s. 71.23 an amount equal to a percentage, as determined under  
6           s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the  
7           claimant paid in the taxable year to upgrade or improve the job-related skills of any  
8           of the claimant's full-time employees, to train any of the claimant's full-time  
9           employees on the use of job-related new technologies, or to provide job-related  
10          training to any full-time employee whose employment with the claimant represents  
11          the employee's first full-time job. This subdivision does not apply to employees who  
12          do not work in an enterprise zone.

13          **SECTION 1155.** 71.28 (3w) (bm) 2. of the statutes is renumbered 71.28 (3w) (bm)  
14          2. (intro.) and amended to read:

15          71.28 (3w) (bm) 2. (intro.) In addition to the credits under ~~par. pars.~~ par. (b) and (bd)  
16          and subds. 1., 3., ~~and 4.~~ and 5., and subject to the limitations provided in this  
17          subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit  
18          against the tax imposed under s. 71.23 one of the following amounts:

19          a. For a claimant whose contract is executed prior to January 1, 2024, an  
20          amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009  
21          stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year  
22          to all of the claimant's full-time employees whose annual wages are greater than the  
23          amount determined by multiplying 2,080 by 150 percent of the federal minimum  
24          wage in a tier I county or municipality, not including the wages paid to the employees  
25          determined under par. (b) 1., or greater than \$30,000 in a tier II county or

1 municipality, not including the wages paid to the employees determined under par.  
2 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if  
3 the total number of such employees is equal to or greater than the total number of  
4 such employees in the base year. ~~A claimant may claim a credit under this~~  
5 ~~subdivision for no more than 5 consecutive taxable years.~~

6 **SECTION 1156.** 71.28 (3w) (bm) 2. b. of the statutes is created to read:

7 71.28 (3w) (bm) 2. b. For a claimant whose contract is executed after December  
8 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to  
9 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the  
10 claimant's full-time employees whose annual wages are greater than \$32,000 in a  
11 tier I county or municipality, not including the wages paid to the employees  
12 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or  
13 municipality, not including the wages paid to the employees determined under par.  
14 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if  
15 the total number of such employees is equal to or greater than the total number of  
16 such employees in the base year.

17 **SECTION 1157.** 71.28 (3w) (bm) 3. of the statutes is amended to read:

18 71.28 (3w) (bm) 3. In addition to the credits under ~~par. pars.~~ (b) and (bd) and  
19 subds. 1., 2., ~~and 4.,~~ and 5., and subject to the limitations provided in this subsection  
20 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December  
21 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23 up  
22 to 10 percent of the claimant's significant capital expenditures, as determined under  
23 s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

24 **SECTION 1158.** 71.28 (3w) (bm) 4. of the statutes is amended to read:

1           71.28 (3w) (bm) 4. In addition to the credits under ~~par. pars. (b) and (bd)~~ and  
2           subds. 1., 2., and 3., and 5., and subject to the limitations provided in this subsection  
3           and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December  
4           31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.23,  
5           up to 1 percent of the amount that the claimant paid in the taxable year to purchase  
6           tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d),  
7           or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s.  
8           560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under  
9           this subdivision and subd. 3. for the same expenditures.

10           **SECTION 1159.** 71.28 (3w) (bm) 5. of the statutes is renumbered 71.28 (3w) (bm)  
11           5. (intro.) and amended to read:

12           71.28 (3w) (bm) 5. (intro.) In addition to the credits under ~~par. pars. (b) and (bd)~~  
13           and subds. 1. to 4., and subject to the limitations provided in this subsection and s.  
14           238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number  
15           of full-time employees determined under s. 238.399 (5) (f) and maintained average  
16           zone payroll for the taxable year equal to or greater than the base year may claim  
17           as a credit against the tax imposed under s. 71.23 one of the following amounts:

18           a. For a claimant whose contract is executed prior to January 1, 2024, an  
19           amount equal to the percentage, as determined by the Wisconsin Economic  
20           Development Corporation, of the claimant's zone payroll paid in the 12 months prior  
21           to the certification date to the claimant's full-time employees in the enterprise zone  
22           whose annual wages are greater than the amount determined by multiplying 2,080  
23           by 150 percent of the federal minimum wage in a tier I county or municipality or  
24           greater than \$30,000 in a tier II county or municipality. ~~The amount that the~~  
25           ~~claimant may claim as credit under this subdivision for a taxable year shall not~~

1 ~~exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more~~  
2 ~~than 5 consecutive taxable years.~~

3 **SECTION 1160.** 71.28 (3w) (bm) 5. b. of the statutes is created to read:

4 71.28 (3w) (bm) 5. b. For a claimant whose contract is executed after December  
5 31, 2023, an amount equal to the percentage, as determined by the Wisconsin  
6 Economic Development Corporation, of the claimant's zone payroll paid in the 12  
7 months prior to the certification date to the claimant's full-time employees in the  
8 enterprise zone whose annual wages are greater than \$32,000 in a tier I county or  
9 municipality or greater than \$42,390 in a tier II county or municipality.

10 **SECTION 1161.** 71.28 (3w) (c) 5. of the statutes is created to read:

11 71.28 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more  
12 than 5 consecutive taxable years.

13 **SECTION 1162.** 71.28 (3w) (c) 6. of the statutes is created to read:

14 71.28 (3w) (c) 6. The amount that a claimant may claim as credit under par.  
15 (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit  
16 under par. (bm) 5. for no more than 5 consecutive taxable years.

17 **SECTION 1163.** 71.28 (3w) (cm) of the statutes is created to read:

18 71.28 (3w) (cm) *Inflation adjustments.* For taxable years beginning after  
19 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,  
20 and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the  
21 percentage change between the U.S. consumer price index for all urban consumers,  
22 U.S. city average, for the month of August of the previous year and the U.S. consumer  
23 price index for all urban consumers, U.S. city average, for the month of August of the  
24 year before the previous year, as determined by the federal department of labor.  
25 Each amount that is revised under this paragraph shall be rounded to the nearest

1 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount  
2 is a multiple of \$5, such an amount shall be increased to the next higher multiple of  
3 \$10.

4 **SECTION 1164.** 71.47 (3w) (a) 2m. of the statutes is created to read:

5 71.47 (3w) (a) 2m. “Contract” means a contract between the claimant and the  
6 Wisconsin Economic Development Corporation under s. 238.399.

7 **SECTION 1165.** 71.47 (3w) (a) 6. of the statutes is renumbered 71.47 (3w) (a) 6.  
8 a. and amended to read:

9 71.47 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is  
10 attributable to wages paid to full-time employees for services that are performed in  
11 an enterprise zone. “Zone Except as provided in subd. 6. b., “zone payroll” does not  
12 include the amount of wages paid to any full-time employees that exceeds \$100,000.

13 **SECTION 1166.** 71.47 (3w) (a) 6. b. of the statutes is created to read:

14 71.47 (3w) (a) 6. b. For a claimant whose contract is executed after December  
15 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time  
16 employees that exceeds \$141,300.

17 **SECTION 1167.** 71.47 (3w) (b) (intro.) of the statutes is amended to read:

18 71.47 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject  
19 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,  
20 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit  
21 against the tax imposed under s. 71.43 an amount calculated as follows:

22 **SECTION 1168.** 71.47 (3w) (bd) of the statutes is created to read:

23 71.47 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the  
24 limitations provided in this subsection and s. 238.399, a claimant whose contract is

1 executed after December 31, 2023, may claim as a credit against the tax imposed  
2 under s. 71.43 an amount calculated as follows:

3 1. Determine the amount that is the lesser of:

4 a. The number of full-time employees whose annual wages are greater than  
5 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
6 or municipality and who the claimant employed in the enterprise zone in the taxable  
7 year, minus the number of full-time employees whose annual wages were greater  
8 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II  
9 county or municipality and who the claimant employed in the area that comprises  
10 the enterprise zone in the base year.

11 b. The number of full-time employees whose annual wages are greater than  
12 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
13 or municipality and who the claimant employed in the state in the taxable year,  
14 minus the number of full-time employees whose annual wages were greater than  
15 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county  
16 or municipality and who the claimant employed in the state in the base year.

17 2. Determine the claimant's average zone payroll by dividing total wages for  
18 full-time employees whose annual wages are greater than \$32,000 in a tier I county  
19 or municipality or greater than \$42,390 in a tier II county or municipality and who  
20 the claimant employed in the enterprise zone in the taxable year by the number of  
21 full-time employees whose annual wages are greater than \$32,000 or greater than  
22 \$42,390 in a tier II county or municipality and who the claimant employed in the  
23 enterprise zone in the taxable year.



1           3. For employees in a tier I county or municipality, subtract \$32,000 from the  
2 amount determined under subd. 2. and for employees in a tier II county or  
3 municipality, subtract \$42,390 from the amount determined under subd. 2.

4           4. Multiply the amount determined under subd. 3. by the amount determined  
5 under subd. 1.

6           5. Multiply the amount determined under subd. 4. by the percentage  
7 determined under s. 238.399, not to exceed 7 percent.

8           **SECTION 1169.** 71.47 (3w) (bm) 1. of the statutes is amended to read:

9           71.47 **(3w)** (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and  
10 subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s.  
11 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax  
12 imposed under s. 71.43 an amount equal to a percentage, as determined under s.  
13 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the  
14 claimant paid in the taxable year to upgrade or improve the job-related skills of any  
15 of the claimant's full-time employees, to train any of the claimant's full-time  
16 employees on the use of job-related new technologies, or to provide job-related  
17 training to any full-time employee whose employment with the claimant represents  
18 the employee's first full-time job. This subdivision does not apply to employees who  
19 do not work in an enterprise zone.

20           **SECTION 1170.** 71.47 (3w) (bm) 2. of the statutes is renumbered 71.47 (3w) (bm)  
21 2. (intro.) and amended to read:

22           71.47 **(3w)** (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)  
23 and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and  
24 s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax  
25 imposed under s. 71.43 one of the following amounts:

1           a. For a claimant whose contract is executed prior to January 1, 2024, an  
2 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009  
3 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year  
4 to all of the claimant's full-time employees whose annual wages are greater than the  
5 amount determined by multiplying 2,080 by 150 percent of the federal minimum  
6 wage in a tier I county or municipality, not including the wages paid to the employees  
7 determined under par. (b) 1., or greater than \$30,000 in a tier II county or  
8 municipality, not including the wages paid to the employees determined under par.  
9 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if  
10 the total number of such employees is equal to or greater than the total number of  
11 such employees in the base year. ~~A claimant may claim a credit under this~~  
12 ~~subdivision for no more than 5 consecutive taxable years.~~

13           **SECTION 1171.** 71.47 (3w) (bm) 2. b. of the statutes is created to read:

14           71.47 (3w) (bm) 2. b. For a claimant whose contract is executed after December  
15 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to  
16 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the  
17 claimant's full-time employees whose annual wages are greater than \$32,000 in a  
18 tier I county or municipality, not including the wages paid to the employees  
19 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or  
20 municipality, not including the wages paid to the employees determined under par.  
21 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if  
22 the total number of such employees is equal to or greater than the total number of  
23 such employees in the base year.

24           **SECTION 1172.** 71.47 (3w) (bm) 3. of the statutes is amended to read:

1           71.47 (3w) (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and  
2       subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s.  
3       238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31,  
4       2008, a claimant may claim as a credit against the tax imposed under s. 71.43 up to  
5       10 percent of the claimant's significant capital expenditures, as determined under  
6       s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

7           **SECTION 1173.** 71.47 (3w) (bm) 4. of the statutes is amended to read:

8           71.47 (3w) (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and  
9       subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s.  
10      238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31,  
11      2009, a claimant may claim as a credit against the tax imposed under s. 71.43, up to  
12      1 percent of the amount that the claimant paid in the taxable year to purchase  
13      tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d),  
14      or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s.  
15      560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under  
16      this subdivision and subd. 3. for the same expenditures.

17          **SECTION 1174.** 71.47 (3w) (c) 5. of the statutes is created to read:

18          71.47 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more  
19      than 5 consecutive taxable years.

20          **SECTION 1175.** 71.47 (3w) (cm) of the statutes is created to read:

21          71.47 (3w) (cm) *Inflation adjustments.* For taxable years beginning after  
22      December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,  
23      and (bm) 2. b. shall be increased each year by a percentage equal to the percentage  
24      change between the U.S. consumer price index for all urban consumers, U.S. city  
25      average, for the month of August of the previous year and the U.S. consumer price

1 index for all urban consumers, U.S. city average, for the month of August of the year  
2 before the previous year, as determined by the federal department of labor. Each  
3 amount that is revised under this paragraph shall be rounded to the nearest multiple  
4 of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a  
5 multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

6 **SECTION 1176.** 238.30 (2m) (a) of the statutes is amended to read:

7 238.30 **(2m)** (a) Except as provided in par. (b) and s. 238.308 (1) (b), “full-time  
8 job” means a regular, nonseasonal full-time position in which an individual, as a  
9 condition of employment, is required to work at least 2,080 hours per year, including  
10 paid leave and holidays, and for which the individual receives pay that is equal to  
11 at least 150 percent of the federal minimum wage and benefits that are not required  
12 by federal or state law. “Full-time job” does not include initial training before an  
13 employment position begins.

14 **SECTION 1177.** 238.308 (1) of the statutes is renumbered 238.308 (1) (intro.) and  
15 amended to read:

16 238.308 **(1)** ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,

17 (a) “~~eligible~~ Eligible employee” means a person employed in a full-time job by  
18 a person certified under sub. (2).

19 **SECTION 1178.** 238.308 (1) (b) of the statutes is created to read:

20 238.308 **(1)** (b) 1. Except as provided in subd. 2., “full-time job” has the meaning  
21 given in s. 238.30 (2m).

22 2. For contracts executed by the corporation under this section after December  
23 31, 2023, “full-time job” means a regular, nonseasonal full-time position for which  
24 an individual receives pay that is equal to at least \$32,000 and benefits that are not

1 required by federal or state law. “Full-time job” does not include initial training  
2 before an employment position begins.

3 **SECTION 1179.** 238.308 (4) (a) 1. of the statutes is amended to read:

4 238.308 (4) (a) 1. An amount equal to up to 10 percent of the amount of wages  
5 that the person paid to an eligible employee in the taxable year. For contracts  
6 executed by the corporation after December 31, 2023, the amount of wages taken into  
7 account under this subdivision may not exceed \$141,300 per eligible employee per  
8 year. Beginning on January 1, 2025, the dollar amount under this subdivision shall  
9 be increased each year by a percentage equal to the percentage change between the  
10 U.S. consumer price index for all urban consumers, U.S. city average, for the month  
11 of August of the previous year and the U.S. consumer price index for all urban  
12 consumers, U.S. city average, for the month of August of the year before the previous  
13 year, as determined by the federal department of labor. Each amount that is revised  
14 under this subdivision shall be rounded to the nearest multiple of \$10 if the revised  
15 amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an  
16 amount shall be increased to the next higher multiple of \$10.

17 **SECTION 1180.** 238.399 (1) (am) 2. of the statutes is repealed and recreated to  
18 read:

19 238.399 (1) (am) 2. For contracts executed by the corporation under this section  
20 after December 31, 2023, the individual is employed in a regular, nonseasonal  
21 full-time position for which the individual receives annual pay that is more than  
22 \$32,000 in a tier I county or municipality or more than 42,390 in a tier II county or  
23 municipality and benefits that are not required by federal or state law.

24 **SECTION 1181.** 238.399 (6) (h) of the statutes is created to read:

1           238.399 (6) (h) Beginning on January 1, 2025, the dollar amount in sub. (1) (am)  
2           2. shall be increased each year by a percentage equal to the percentage change  
3           between the U.S. consumer price index for all urban consumers, U.S. city average,  
4           for the month of August of the previous year and the U.S. consumer price index for  
5           all urban consumers, U.S. city average, for the month of August of the year before  
6           the previous year, as determined by the federal department of labor. Each amount  
7           that is revised under this paragraph shall be rounded to the nearest multiple of \$10  
8           if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple  
9           of \$5, such an amount shall be increased to the next higher multiple of \$10.”.

10           **196.** Page 374, line 11: after that line insert:

11           “**SECTION 1182.** 76.07 (3) of the statutes is amended to read:

12           76.07 (3) ASSESSMENT. For the purpose of determining the full market value of  
13           the property of each company appearing on the assessment roll, the department may  
14           view and inspect the property of such the company and shall consider the reports  
15           filed in compliance with s. 76.04 and the reports and returns of the company filed in  
16           the office of any officer of this state, and other evidence or information bearing upon  
17           the full market value of the property of the company assessed. ~~In case of~~ For  
18           companies ~~which~~ that own or use property lying partly within and partly without the  
19           state, the department shall value and assess only the property within this state,  
20           using the methods under subs. (4g) and (4r). When the full market value of the  
21           property of a company within this state has been determined, the amount shall be  
22           entered upon the assessment roll opposite the name of the company and shall be the  
23           assessment of the entire property of such the company within this state for the levy  
24           of taxes thereon, subject to review and correction. The department shall thereupon

1 give notice ~~by certified mail~~ to each company assessed of the amount of its  
2 assessment as entered upon ~~such~~ the roll.

3 **SECTION 1183.** 76.08 (1) of the statutes is amended to read:

4 76.08 (1) Notice of the assessments determined under s. 76.07 and of  
5 adjustments under s. 76.075 shall be given ~~by certified mail~~ to each company the  
6 property of which has been assessed, and the notice of assessment shall be mailed  
7 provided on or before the assessment date specified in s. 76.07 (1). Any company  
8 aggrieved by the assessment or adjustment of its property thus made may have its  
9 assessment or adjustment redetermined by the Dane County circuit court if, within  
10 30 days after notice of assessment or adjustment is ~~mailed~~ provided to the company  
11 under s. 76.07 (3), an action for the redetermination is commenced by filing a  
12 summons and complaint with that court, and service of authenticated copies of the  
13 summons and complaint is made upon the department of revenue. No answer need  
14 be filed by the department and the allegations of the complaint in opposition to the  
15 assessment or adjustment shall be deemed denied. Upon the filing of the summons  
16 and complaint, the court shall set the matter for hearing without a jury. If the  
17 plaintiff fails to file the summons and complaint within 5 days of service upon the  
18 department, the department may file a copy thereof with the court in lieu of the  
19 original. The department may be named as the defendant in any such action and  
20 shall appear and be represented by its counsel in all proceedings connected with the  
21 action but, on the request of the secretary of revenue, the attorney general may  
22 participate with or serve in lieu of departmental counsel. In an action for  
23 redetermination of an adjustment, only the issues raised in the department's  
24 adjustment under s. 76.075 may be raised.

25 **SECTION 1184.** 76.10 (1) of the statutes is amended to read:

1           76.10 (1) Every company defined in s. 76.02 shall, on or before October 1 in each  
2 year, be entitled, on its own motion, to present evidence before the department  
3 relating to the state assessment made in the preceding year pursuant to s. 70.575.  
4 On written request, ~~in writing~~, for such hearing or presentation, the department  
5 shall fix a time therefor within 60 days after ~~such~~ the application is filed, the same  
6 to be conducted in such manner as the department directs. Notice of ~~such~~ the hearing  
7 shall be ~~mailed~~ provided to any company requesting a hearing and shall be published  
8 in the official state paper. Within 30 days after the conclusion of ~~such~~ the hearing,  
9 the department shall enter an order either affirming the state assessment or  
10 ordering correction thereof as provided in sub. (2). A copy of ~~such~~ the order shall be  
11 ~~sent by certified mail~~ provided to the company or companies requesting ~~such~~ the  
12 hearing and to any interested party who has made an appearance in ~~such~~ the  
13 proceeding. The department may, on its own motion, correct ~~such~~ the state  
14 assessment. Any company having filed application for review of the state  
15 assessment pursuant to this section, or any other interested party participating in  
16 ~~such~~ the hearing, if aggrieved by the order entered by the department, may bring an  
17 action in the circuit court for Dane County within 30 days after the entry of ~~such~~ the  
18 order to have said order set aside and a redetermination made of the state  
19 assessment. In any such action or in any hearing before the department pursuant  
20 to this section, any interested party may appear and be heard. An interested party  
21 includes any division of government whose revenues would be affected by any  
22 adjustment of the state assessment.

23           **SECTION 1185.** 76.13 (2) of the statutes is amended to read:

24           76.13 (2) Every tax roll upon completion shall be delivered to the secretary of  
25 administration. The department shall notify, ~~by certified mail~~, all companies listed



1 on the tax roll of the amount of tax due, which shall be paid to the department. The  
2 payment dates provided for in sub. (2a) shall apply. The payment of one-fourth of  
3 the tax of any company may, if the company has brought an action in the Dane  
4 County circuit court under s. 76.08, be made without delinquent interest as provided  
5 in s. 76.14 any time prior to the date upon which the appeal becomes final, but any  
6 part of the tax ultimately required to be paid shall bear interest from the original due  
7 date to the date the appeal became final at the rate of 12 percent per year and at 1.5  
8 percent per month thereafter until paid. The taxes extended against any company  
9 after the same become due, with interest, shall be a lien upon all the property of the  
10 company prior to all other liens, claims, and demands whatsoever, except as provided  
11 in ss. 292.31 (8) (i) and 292.81, ~~which~~ and the lien may be enforced in an action in  
12 the name of the state in any court of competent jurisdiction against the property of  
13 the company within the state as an entirety.

14 **SECTION 1186.** 76.15 (2) of the statutes is amended to read:

15 76.15 (2) The power to reassess the property of any company defined in s. 76.02  
16 and the general property of the state, and to redetermine the average rate of  
17 taxation, may be exercised under sub. (1) as often as ~~may be~~ necessary until the  
18 amount of taxes legally due from any such company for any year under ss. 76.01 to  
19 76.26 has been finally and definitely determined. Whenever any sum or part thereof,  
20 levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has  
21 been paid and not refunded, the payment ~~so made~~ shall be applied upon the  
22 reassessment upon the property, and the reassessment of taxes to that extent shall  
23 be deemed to be satisfied. When the tax roll on the reassessment is completed and  
24 delivered to the secretary of administration, the department shall immediately

1 notify ~~by certified mail~~ each of the several companies taxed to pay the amount of the  
2 taxes extended on the tax roll within 30 days.”.

3 **197.** Page 374, line 11: after that line insert:

4 “**SECTION 1187.** 71.07 (9e) (aj) (intro.) of the statutes is amended to read:

5 71.07 **(9e)** (aj) (intro.) For taxable years beginning after December 31, 2010,  
6 and before January 1, 2023, an individual may credit against the tax imposed under  
7 s. 71.02 an amount equal to one of the following percentages of the federal basic  
8 earned income credit for which the person is eligible for the taxable year under  
9 section 32 of the Internal Revenue Code:

10 **SECTION 1188.** 71.07 (9e) (ak) of the statutes is created to read:

11 71.07 **(9e)** (ak) For taxable years beginning after December 31, 2022, an  
12 individual may credit against the tax imposed under s. 71.02 an amount equal to one  
13 of the following percentages of the federal basic earned income credit for which the  
14 individual is eligible for the taxable year under section 32 of the Internal Revenue  
15 Code:

16 1. If the individual has one qualifying child who has the same principal place  
17 of abode as the individual, 16 percent.

18 2. If the individual has 2 qualifying children who have the same principal place  
19 of abode as the individual, 25 percent.

20 3. If the individual has 3 or more qualifying children who have the same  
21 principal place of abode as the individual, 34 percent.

22 **SECTION 1189.** 73.03 (73) (f) 1. of the statutes is amended to read:

23 73.03 **(73)** (f) 1. Subject to subd. 2., for taxable years beginning after December  
24 31, 2020, the department shall make the pilot program described under par. (b)

1 permanent and applicable to all eligible claimants of the earned income tax credit  
2 under s. 71.07 (9e) (aj), based on the specifications described under pars. (b) and (c)  
3 2.”.

4 **198.** Page 374, line 11: after that line insert:

5 “**SECTION 1190.** 71.54 (1) (g) (intro.) of the statutes is amended to read:

6 71.54 (1) (g) *2012 and thereafter to 2023.* (intro.) The amount of any claim filed  
7 in 2012 and ~~thereafter~~ to 2023 and based on property taxes accrued or rent  
8 constituting property taxes accrued during the previous year is limited as follows:

9 **SECTION 1191.** 71.54 (1) (g) 4. of the statutes is amended to read:

10 71.54 (1) (g) 4. ~~Except as provided in subds. 5. and 7., for~~ For claims filed in 2018  
11 and thereafter and based on property taxes accrued or rent constituting property  
12 taxes accrued during the previous year, no credit may be allowed under this  
13 paragraph if the claimant has no earned income in the taxable year to which the  
14 claim relates unless the claimant is disabled and provides the proof required under  
15 subd. 6. or the claimant or the claimant’s spouse is over the age of 61 at the close of  
16 the year to which the claim relates.

17 **SECTION 1192.** 71.54 (1) (g) 5. of the statutes is repealed.

18 **SECTION 1193.** 71.54 (1) (g) 6. (intro.) of the statutes is amended to read:

19 71.54 (1) (g) 6. (intro.) ~~With regard to a claimant who is disabled, the~~ A claimant  
20 who is disabled shall provide with his or her return proof that his or her disability  
21 is in effect for the taxable year to which the claim relates. Proof of disability may be  
22 demonstrated by any of the following:

23 **SECTION 1194.** 71.54 (1) (g) 7. of the statutes is repealed.

24 **SECTION 1195.** 71.54 (1) (h) of the statutes is created to read:

1           71.54 (1) (h) *2024 and thereafter*. Subject to sub. (2m), the amount of any claim  
2 filed in 2024 and thereafter and based on property taxes accrued or rent constituting  
3 property taxes accrued during the previous year is limited as follows:

4           1. If the household income was \$8,060 or less in the year to which the claim  
5 relates, the claim is limited to 80 percent of the property taxes accrued or rent  
6 constituting property taxes accrued or both in that year on the claimant's homestead.

7           2. If the household income was more than \$8,060 in the year to which the claim  
8 relates, the claim is limited to 80 percent of the amount by which the property taxes  
9 accrued or rent constituting property taxes accrued or both in that year on the  
10 claimant's homestead exceeds 5.614 percent of the household income exceeding  
11 \$8,060.

12           3. No credit may be allowed if the household income exceeds \$35,000.

13           4. Notwithstanding the time limitations described in par. (g) (intro.), the  
14 provisions of par. (g) 4. apply to claims filed under this paragraph.

15           **SECTION 1196.** 71.54 (2) (b) 4. of the statutes is amended to read:

16           71.54 (2) (b) 4. In calendar years 2011 ~~or any subsequent calendar year~~ to 2022,  
17 \$1,460.

18           **SECTION 1197.** 71.54 (2) (b) 5. of the statutes is created to read:

19           71.54 (2) (b) 5. Subject to sub. (2m), in calendar year 2023 or any subsequent  
20 calendar year, \$1,460.

21           **SECTION 1198.** 71.54 (2m) of the statutes is amended to read:

22           71.54 (2m) INDEXING FOR INFLATION; ~~2010 2024 AND THEREAFTER~~. (a) For calendar  
23 years beginning after December 31, 2009, and before January 1, 2011 2023, the dollar  
24 amounts of the threshold income under sub. (1) (f) (h) 1. and 2., the maximum  
25 household income under sub. (1) (f) (h) 3., and the maximum property taxes under

1 sub. (2) (b) ~~3.~~ 5. shall be increased each year by a percentage equal to the percentage  
2 change between the U.S. consumer price index for all urban consumers, U.S. city  
3 average, for the 12-month average of the U.S. consumer price index for the month  
4 of August of the year before the previous year through the month of July of the  
5 previous year and the U.S. consumer price index for all urban consumers, U.S. city  
6 average, for the 12-month average of the U.S. consumer price index for August ~~2007~~  
7 2021 through July ~~2008~~ 2022, as determined by the federal department of labor,  
8 except that the adjustment may occur only if the percentage is a positive number.  
9 Each amount that is revised under this paragraph shall be rounded to the nearest  
10 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount  
11 is a multiple of \$5, such an amount shall be increased to the next higher multiple of  
12 \$10. The department of revenue shall annually adjust the changes in dollar amounts  
13 required under this paragraph and incorporate the changes into the income tax  
14 forms and instructions.

15 (b) The department of revenue shall annually adjust the slope under sub. (1)  
16 ~~(f)~~ (h) ~~2. such so~~ that, as a claimant's income increases from the threshold income as  
17 ~~calculated~~ adjusted under par. (a), to an amount that exceeds the maximum  
18 household income as ~~calculated~~ adjusted under par. (a), the credit that may be  
19 claimed is reduced to \$0, and the department of revenue shall incorporate the  
20 changes into the income tax forms and instructions.

21 **SECTION 9337. Initial applicability; Revenue.**

22 (1e) HOMESTEAD TAX CREDIT. The treatment of s. 71.54 (1) (h) first applies to  
23 claims filed for taxable years beginning after December 31, 2022.”.

24 **199.** Page 374, line 11: after that line insert:

1           **“SECTION 9101. Nonstatutory provisions; Administration.**

2           (1) ENTERPRISE ZONE TAX CREDIT FUNDING REESTIMATE. The secretary of  
3 administration shall reestimate the sum sufficient appropriation under s. 20.835 (2)  
4 (co) by increasing funding for the enterprise zone program by \$525,000 in the  
5 2024-25 fiscal year.”.

6           **200.** Page 374, line 11: after that line insert:

7           **“SECTION 1199.** 71.07 (3y) (b) 5. of the statutes is amended to read:

8           71.07 (3y) (b) 5. ~~An~~ For taxable years beginning before January 1, 2023, an  
9 amount, as determined by the Wisconsin Economic Development Corporation under  
10 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant  
11 paid to an eligible employee in the taxable year if the position in which the eligible  
12 employee was employed was created or retained in connection with the claimant’s  
13 location or retention of the claimant’s corporate headquarters in Wisconsin and the  
14 job duties associated with the eligible employee’s position involve the performance  
15 of corporate headquarters functions.

16           **SECTION 1200.** 71.07 (3y) (b) 5m. of the statutes is created to read:

17           71.07 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an  
18 amount, as determined by the Wisconsin Economic Development Corporation under  
19 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant  
20 paid to an eligible employee in the taxable year if the position in which the eligible  
21 employee was employed was created or retained in connection with the claimant’s  
22 location or retention of the claimant’s corporate headquarters in Wisconsin.

23           **SECTION 1201.** 71.28 (3y) (b) 5. of the statutes is amended to read:

1           71.28 (3y) (b) 5. ~~An~~ For taxable years beginning before January 1, 2023, an  
2 amount, as determined by the Wisconsin Economic Development Corporation under  
3 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant  
4 paid to an eligible employee in the taxable year if the position in which the eligible  
5 employee was employed was created or retained in connection with the claimant's  
6 location or retention of the claimant's corporate headquarters in Wisconsin and the  
7 job duties associated with the eligible employee's position involve the performance  
8 of corporate headquarters functions.

9           **SECTION 1202.** 71.28 (3y) (b) 5m. of the statutes is created to read:

10           71.28 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an  
11 amount, as determined by the Wisconsin Economic Development Corporation under  
12 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant  
13 paid to an eligible employee in the taxable year if the position in which the eligible  
14 employee was employed was created or retained in connection with the claimant's  
15 location or retention of the claimant's corporate headquarters in Wisconsin.

16           **SECTION 1203.** 71.47 (3y) (b) 5. of the statutes is amended to read:

17           71.47 (3y) (b) 5. ~~An~~ For taxable years beginning before January 1, 2023, an  
18 amount, as determined by the Wisconsin Economic Development Corporation under  
19 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant  
20 paid to an eligible employee in the taxable year if the position in which the eligible  
21 employee was employed was created or retained in connection with the claimant's  
22 location or retention of the claimant's corporate headquarters in Wisconsin and the  
23 job duties associated with the eligible employee's position involve the performance  
24 of corporate headquarters functions.

25           **SECTION 1204.** 71.47 (3y) (b) 5m. of the statutes is created to read:

1           71.47 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an  
2 amount, as determined by the Wisconsin Economic Development Corporation under  
3 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant  
4 paid to an eligible employee in the taxable year if the position in which the eligible  
5 employee was employed was created or retained in connection with the claimant's  
6 location or retention of the claimant's corporate headquarters in Wisconsin.

7           **SECTION 1205.** 238.308 (4) (a) 3. of the statutes is amended to read:

8           238.308 (4) (a) 3. An amount equal to up to 50 percent of the person's training  
9 costs incurred to undertake activities to ~~enhance an eligible employee's general~~  
10 ~~knowledge, employability, and flexibility in the workplace; to develop skills unique~~  
11 ~~to the person's workplace or equipment; or to develop skills that will increase the~~  
12 ~~quality of the person's product~~ upgrade or improve the job-related skills of an eligible  
13 employee, train an eligible employee on the use of job-related new technologies, or  
14 provide job-related training to an eligible employee whose employment with the  
15 person represents the employee's first full-time job.

16           **SECTION 1206.** 238.308 (4) (a) 5. of the statutes is amended to read:

17           238.308 (4) (a) 5. An amount, as determined by the corporation, equal to a  
18 percentage of the amount of wages that the person paid to an eligible employee in the  
19 taxable year, if the position in which the eligible employee was employed was created  
20 or retained in connection with the person's location or retention of the person's  
21 corporate headquarters in Wisconsin ~~and the job duties associated with the eligible~~  
22 ~~employee's position involve the performance of corporate headquarters functions."~~

23           **201.** Page 374, line 11: after that line insert:

24           **"SECTION 1207.** 71.07 (3y) (b) 6. of the statutes is created to read:



1           71.07 (3y) (b) 6. For taxable years beginning after December 31, 2023, an  
2 amount, as determined by the Wisconsin Economic Development Corporation under  
3 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's  
4 energy efficiency or renewable energy project expenditures on real or personal  
5 property located in this state.

6           **SECTION 1208.** 71.28 (3y) (b) 6. of the statutes is created to read:

7           71.28 (3y) (b) 6. For taxable years beginning after December 31, 2023, an  
8 amount, as determined by the Wisconsin Economic Development Corporation under  
9 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's  
10 energy efficiency or renewable energy project expenditures on real or personal  
11 property located in this state.

12           **SECTION 1209.** 71.47 (3y) (b) 6. of the statutes is created to read:

13           71.47 (3y) (b) 6. For taxable years beginning after December 31, 2023, an  
14 amount, as determined by the Wisconsin Economic Development Corporation under  
15 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's  
16 energy efficiency or renewable energy project expenditures on real or personal  
17 property located in this state.

18           **SECTION 1210.** 238.308 (4) (a) 6. of the statutes is created to read:

19           238.308 (4) (a) 6. An amount equal to up to 25 percent of the person's energy  
20 efficiency or renewable energy project expenditures on real or personal property  
21 located in this state. When making an award under this subdivision, the corporation  
22 shall ensure that the percentage of expenditures taken into account positively  
23 correlates to the scale of the project.

24           **SECTION 9349. Initial applicability; Wisconsin Economic Development**  
25 **Corporation.**

1 (1) ENERGY EFFICIENCY AND RENEWABLE ENERGY PROJECT EXPENDITURES FOR  
2 BUSINESS DEVELOPMENT TAX CREDIT. The treatment of s. 238.308 (4) (a) 6. first applies  
3 to credits awarded under s. 238.308 on January 1, 2024.”.

4 **202.** Page 374, line 11: after that line insert:

5 “SECTION 1211. 71.07 (5n) (d) 2. of the statutes is amended to read:

6 71.07 (5n) (d) 2. ~~For~~ Except as provided in subd. 2m., for purposes of  
7 determining a claimant’s eligible qualified production activities income under this  
8 subsection, the claimant shall multiply the claimant’s qualified production activities  
9 income from property manufactured by the claimant by the manufacturing property  
10 factor and qualified production activities income from property produced, grown, or  
11 extracted by the claimant by the agriculture property factor. This subdivision does  
12 not apply if the claimant’s entire qualified production activities income results from  
13 the sale of tangible personal property that was manufactured, produced, grown, or  
14 extracted wholly in this state by the claimant.

15 SECTION 1212. 71.07 (5n) (d) 2m. of the statutes is created to read:

16 71.07 (5n) (d) 2m. For taxable years beginning after December 31, 2022, for  
17 purposes of determining a claimant’s eligible qualified production activities income  
18 from manufacturing under this subsection, the claimant shall multiply the  
19 claimant’s qualified production activities income, not exceeding \$300,000, from  
20 property manufactured by the claimant by the manufacturing property factor. This  
21 subdivision does not apply if the claimant’s entire qualified production activities  
22 income results from the sale of tangible personal property that was manufactured,  
23 produced, grown, or extracted wholly in this state by the claimant.

24 SECTION 1213. 71.28 (5n) (d) 2. of the statutes is amended to read:

1           71.28 (5n) (d) 2. Except as provided in ~~subd. subds. 2m. and 3.~~, for purposes of  
2 determining a claimant’s eligible qualified production activities income under this  
3 subsection, the claimant shall multiply the claimant’s qualified production activities  
4 income from property manufactured by the claimant by the manufacturing property  
5 factor and qualified production activities income from property produced, grown, or  
6 extracted by the claimant by the agriculture property factor. This subdivision does  
7 not apply if the claimant’s entire qualified production activities income results from  
8 the sale of tangible personal property that was manufactured, produced, grown, or  
9 extracted wholly in this state by the claimant.

10           **SECTION 1214.** 71.28 (5n) (d) 2m. of the statutes is created to read:

11           71.28 (5n) (d) 2m. Except as provided in subd. 3., for taxable years beginning  
12 after December 31, 2022, for purposes of determining a claimant’s eligible qualified  
13 production activities income from manufacturing under this subsection, the  
14 claimant shall multiply the claimant’s qualified production activities income, not  
15 exceeding \$300,000, from property manufactured by the claimant by the  
16 manufacturing property factor. This subdivision does not apply if the claimant’s  
17 entire qualified production activities income results from the sale of tangible  
18 personal property that was manufactured, produced, grown, or extracted wholly in  
19 this state by the claimant.

20           **SECTION 1215.** 71.28 (5n) (d) 3. a. of the statutes is amended to read:

21           71.28 (5n) (d) 3. a. The eligible qualified production activities income  
22 determined under subd. 2. or 2m.”.

23           **203.** Page 374, line 11: after that line insert:

24           **“SECTION 1216.** 71.07 (4k) (e) 2. a. of the statutes is amended to read:

1           71.07 (4k) (e) 2. a. For taxable years beginning before January 1, 2021, the  
2 amount of the claim not used to offset the tax due, not to exceed 10 percent of the  
3 allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the  
4 department of revenue to the department of administration for payment by check,  
5 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)  
6 (d). For subsequent taxable years beginning after December 31, 2020 and before  
7 January 1, 2024, the amount of the claim not used to offset the tax due, up to 15  
8 percent of the allowable amount of the claim under par. (b) 4., 5., or 6., shall be  
9 certified by the department of revenue to the department of administration for  
10 payment by check, share draft, or other draft drawn from the appropriation account  
11 under s. 20.835 (2) (d).

12           **SECTION 1217.** 71.07 (4k) (e) 2. ad. of the statutes is created to read:

13           71.07 (4k) (e) 2. ad. For taxable years beginning after December 31, 2023, the  
14 amount of the claim not used to offset the tax due, not to exceed 50 percent of the  
15 allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the  
16 department of revenue to the department of administration for payment by check,  
17 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)  
18 (d).

19           **SECTION 1218.** 71.07 (4k) (e) 2. b. of the statutes is amended to read:

20           71.07 (4k) (e) 2. b. The amount of the claim not used to offset the tax due and  
21 not certified for payment under subd. 2. a. or 2. ad. may be carried forward and  
22 credited against Wisconsin income taxes otherwise due for the following 15 taxable  
23 years to the extent not offset by these taxes otherwise due in all intervening years  
24 between the year in which the expense was incurred and the year in which the  
25 carry-forward credit is claimed.

1           **SECTION 1219.** 71.28 (4) (k) 1. b. of the statutes is amended to read:

2           71.28 (4) (k) 1. b. For taxable years beginning after December 31, 2020 and  
3           before January 1, 2024, the amount of the claim not used to offset the tax due, up to  
4           15 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be  
5           certified by the department of revenue to the department of administration for  
6           payment by check, share draft, or other draft drawn from the appropriation account  
7           under s. 20.835 (2) (d).

8           **SECTION 1220.** 71.28 (4) (k) 1. c. of the statutes is created to read:

9           71.28 (4) (k) 1. c. For taxable years beginning after December 31, 2023, the  
10          amount of the claim not used to offset the tax due, not to exceed 50 percent of the  
11          allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the  
12          department of revenue to the department of administration for payment by check,  
13          share draft, or other draft drawn from the appropriation account under s. 20.835 (2)  
14          (d).

15          **SECTION 1221.** 71.47 (4) (k) 1. b. of the statutes is amended to read:

16          71.47 (4) (k) 1. b. For taxable years beginning after December 31, 2020 and  
17          before January 1, 2024, the amount of the claim not used to offset the tax due, up to  
18          15 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be  
19          certified by the department of revenue to the department of administration for  
20          payment by check, share draft, or other draft drawn from the appropriation account  
21          under s. 20.835 (2) (d).

22          **SECTION 1222.** 71.47 (4) (k) 1. c. of the statutes is created to read:

23          71.47 (4) (k) 1. c. For taxable years beginning after December 31, 2023, the  
24          amount of the claim not used to offset the tax due, not to exceed 50 percent of the  
25          allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the

1 department of revenue to the department of administration for payment by check,  
2 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)  
3 (d).”.

4 **204.** Page 374, line 11: after that line insert:

5 “**SECTION 1223.** 71.05 (1) (am) of the statutes is amended to read:

6 71.05 (1) (am) *Military retirement systems.* All retirement payments received  
7 from the U.S. military employee retirement system, to the extent that such payments  
8 are not exempt under par. (a) or sub. (6) (b) 54. or 54m.

9 **SECTION 1224.** 71.05 (1) (an) of the statutes is amended to read:

10 71.05 (1) (an) *Uniformed services retirement benefits.* All retirement payments  
11 received from the U.S. government that relate to service with the coast guard, the  
12 commissioned corps of the national oceanic and atmospheric administration, or the  
13 commissioned corps of the public health service, to the extent that such payments are  
14 not exempt under par. (a) or (am) or sub. (6) (b) 54. or 54m.

15 **SECTION 1225.** 71.05 (6) (b) 54. (intro.) of the statutes is amended to read:

16 71.05 (6) (b) 54. (intro.) Except for a payment that is exempt under sub. (1) (a),  
17 (am), or (an), or that is exempt as a railroad retirement benefit, for taxable years  
18 beginning after December 31, 2020, and before January 1, 2023, up to \$5,000 of  
19 payments or distributions received each year by an individual from a qualified  
20 retirement plan under the Internal Revenue Code or from an individual retirement  
21 account established under 26 USC 408, if all of the following conditions apply:

22 **SECTION 1226.** 71.05 (6) (b) 54m. of the statutes is created to read:

23 71.05 (6) (b) 54m. Except for a payment that is exempt under sub. (1) (a), (am),  
24 or (an), or that is exempt as a railroad retirement benefit, for taxable years beginning

1 after December 31, 2022, up to \$5,500 of payments or distributions received each  
2 year by an individual from a qualified retirement plan under the Internal Revenue  
3 Code or from an individual retirement account established under 26 USC 408, if all  
4 of the following conditions apply:

5 a. The individual is at least 65 years of age before the close of the taxable year  
6 to which the exemption claim relates.

7 b. If the individual is single or files as head of household, his or her federal  
8 adjusted gross income in the year to which the exemption claim relates is less than  
9 \$30,000.

10 c. If the individual is married and is a joint filer, the couple's federal adjusted  
11 gross income in the year to which the exemption claim relates is less than \$60,000.

12 d. If the individual is married and files a separate return, the sum of both  
13 spouses' federal adjusted gross income in the year to which the exemption claim  
14 relates is less than \$60,000.

15 **SECTION 1227.** 71.83 (1) (a) 6. of the statutes is amended to read:

16 71.83 (1) (a) 6. 'Retirement plans.' Any natural person who is liable for a  
17 penalty for federal income tax purposes under section 72 (m) (5), (q), (t), and (v), 4973,  
18 4974, 4975, or 4980A of the Internal Revenue Code is liable for 33 percent of the  
19 federal penalty unless the income received is exempt from taxation under s. 71.05  
20 (1) (a) or (6) (b) 54. or 54m. The penalties provided under this subdivision shall be  
21 assessed, levied, and collected in the same manner as income or franchise taxes.”.

22 **205.** Page 374, line 11: after that line insert:

23 “**SECTION 1228.** 71.07 (9g) (b) of the statutes is renumbered 71.07 (9g) (b) 1. and  
24 amended to read:

1           71.07 **(9g)** (b) 1. For taxable years beginning after December 31, 2021, and  
2 before January 1, 2023, and subject to the limitations provided in this subsection, a  
3 claimant may claim as a credit against the tax imposed under s. 71.02, up to the  
4 amount of those taxes, an amount equal to 50 percent of the federal child and  
5 dependent care tax credit claimed by the claimant on his or her federal income tax  
6 return for the taxable year to which the claim under this subsection relates.

7           **SECTION 1229.** 71.07 (9g) (b) 2. of the statutes is created to read:

8           71.07 **(9g)** (b) 2. For taxable years beginning after December 31, 2022, and  
9 subject to the limitations provided in this subsection, a claimant may claim as a  
10 credit against the tax imposed under s. 71.02, up to the amount of those taxes, an  
11 amount equal to the federal child and dependent care tax credit claimed by the  
12 claimant on his or her federal income tax return for the taxable year to which the  
13 claim under this subsection relates.”

14           **206.** Page 374, line 11: after that line insert:

15           “**SECTION 1230.** 71.98 (10) of the statutes is created to read:

16           71.98 **(10)** FEDERAL TAX CUTS AND JOBS ACT. For taxable years beginning after  
17 December 31, 2022, sections 11012, 13221, 13301, 13304 (a), (b), and (d), 13531, and  
18 13601 of P.L. 115-97.”.

19           **207.** Page 374, line 11: after that line insert:

20           “**SECTION 1231.** 71.05 (6) (b) 49. a. of the statutes is amended to read:

21           71.05 **(6)** (b) 49. a. Subject to the definitions provided in subd. 49. b. to g. and  
22 the limitations specified in subd. 49. h. to j. for taxable years beginning after  
23 December 31, 2013, and subject to the limitation in subd. 49. k. for taxable years  
24 beginning after December 31, 2017, and subject to the limitation in subd. 49. m. for



1 taxable years beginning after December 31, 2022, tuition expenses that are paid by  
2 a claimant for tuition for a pupil to attend an eligible institution.

3 **SECTION 1232.** 71.05 (6) (b) 49. m. of the statutes is created to read:

4 71.05 (6) (b) 49. m. For taxable years beginning after December 31, 2022, no  
5 modification may be made under this subdivision unless the adjusted gross income  
6 of the claimant is less than \$100,000 if the claimant is filing as single or head of  
7 household, \$150,000 if the claimant is married and filing jointly, or \$75,000 if the  
8 claimant is married and filing separately.”.

9 **208.** Page 374, line 11: after that line insert:

10 “**SECTION 1233.** 71.05 (6) (a) 30. of the statutes is created to read:

11 71.05 (6) (a) 30. For an account holder, as defined in s. 71.10 (10) (a) 1., or an  
12 account holder’s estate:

13 a. Any amount distributed under s. 71.10 (10) (d) 2. or 3.

14 b. Any amount withdrawn from the account created under s. 71.10 (10) (b) 1.  
15 for any reason other than payment or reimbursement of eligible costs, as defined in  
16 s. 71.10 (10) (a) 4., except that this subd. 30. b. does not apply to the transfer of funds  
17 to another account as described in s. 71.10 (10) (c) 4. or to the disbursement of funds  
18 pursuant to a filing for bankruptcy protection under 11 USC 101 et seq.

19 **SECTION 1234.** 71.05 (6) (b) 57. of the statutes is created to read:

20 71.05 (6) (b) 57. For each account an account holder, as defined in s. 71.10 (10)  
21 (a) 1., creates under s. 71.10 (10) (b) 1., and subject to s. 71.10 (10) (d), the amount  
22 deposited, limited to \$5,000, by the account holder into the account during the  
23 taxable year and any interest, dividends, and other gains that accrue in the account  
24 and are redeposited into it. If the account holder is married and files a joint return,

1 the \$5,000 limitation shall be increased to \$10,000. The subtraction under this  
2 subdivision does not apply to the transfer of funds from another account as described  
3 in s. 71.10 (10) (c) 4.

4 **SECTION 1235.** 71.10 (4) (k) of the statutes is created to read:

5 71.10 (4) (k) Any amount computed under s. 71.83 (1) (ch).

6 **SECTION 1236.** 71.10 (10) of the statutes is created to read:

7 71.10 (10) FIRST-TIME HOME BUYER SAVINGS ACCOUNTS. (a) *Definitions.* In this  
8 subsection:

9 1. “Account holder” means an individual who creates, individually or jointly  
10 with his or her spouse, an account under par. (b) 1.

11 2. “Allowable closing costs” means disbursements listed in a settlement  
12 statement for the purchase of a single-family residence by a beneficiary.

13 3. “Beneficiary” means a first-time home buyer who is designated by an  
14 account holder as the beneficiary of an account created under par. (b) 1.

15 4. “Eligible costs” means the down payment and allowable closing costs for the  
16 purchase of a single-family residence in this state by a beneficiary.

17 5. “Financial institution” means a bank, trust company, savings institution,  
18 savings bank, savings and loan association, industrial loan association, consumer  
19 finance company, credit union, benefit association, insurance company, safe deposit  
20 company, money market mutual fund, or similar entity authorized to do business in  
21 this state.

22 6. “First-time home buyer” means an individual who resides in this state and  
23 did not have, either individually or jointly, a present ownership interest in a  
24 single-family residence during the 36 months before the month in which the  
25 individual purchases a single-family residence in this state.

1           7. “Single-family residence” means a residence intended for occupation by a  
2 single family unit that is purchased by a beneficiary for use as his or her principal  
3 residence.

4           (b) *Creation of account.* 1. An individual may create an account and become  
5 the account holder by opening an account at a financial institution for the purpose  
6 of paying or reimbursing the eligible costs of a first-time home buyer. The account  
7 holder shall designate a beneficiary when the account is created and may designate  
8 himself or herself as the beneficiary. An account may have only one beneficiary at  
9 any one time. An individual may be the beneficiary of more than one account, and  
10 an individual may be the account holder of more than one account, but an account  
11 holder may not have more than one account that designates the same beneficiary.  
12 The account holder may change the beneficiary at any time.

13           2. An individual may jointly own an account created under subd. 1 with his or  
14 her spouse.

15           3. Only cash and marketable securities may be contributed to an account  
16 created under subd. 1.

17           4. Persons other than an account holder may contribute to an account created  
18 under subd. 1, but the subtraction under s. 71.05 (6) (b) 57. may be made only by the  
19 account holder.

20           (c) *Account holder rights and responsibilities.* 1. An account holder may  
21 withdraw funds from an account created under par. (b) 1. to pay eligible costs for the  
22 benefit of the beneficiary or to reimburse the beneficiary for eligible costs the  
23 beneficiary incurs and has paid.

1           2. An account holder may not use funds in an account created under par. (b) 1.  
2 to pay any expenses he or she incurs in administering the account, although a  
3 financial institution may deduct a service fee from the account.

4           3. Annually, an account holder shall submit to the department with his or her  
5 income tax return, on forms prepared by the department, information regarding the  
6 account created under par. (b) 1. The information submitted shall include all of the  
7 following:

8           a. A list of transactions in the account during the taxable year to which the  
9 return relates, including the beginning and ending balances of the account.

10           b. The 1099 form issued by the financial institution that relates to the account.

11           c. A list of eligible costs, and other costs, for which funds from the account were  
12 withdrawn during the taxable year to which the return relates.

13           4. An account holder may withdraw funds from an account created under par.  
14 (b) 1. with no penalty due under s. 71.83 (1) (ch) and no responsibility to make an  
15 addition under s. 71.05 (6) (a) 30. if he or she immediately transfers the funds to a  
16 different financial institution and deposits the funds into an account created under  
17 par. (b) 1. at that financial institution.

18           (d) *Limitations on accounts, dissolution.* 1. An account holder may not claim  
19 a subtraction under s. 71.05 (6) (b) 57. for more than a total of \$50,000 of deposits into  
20 any account created under par. (b) 1. for each beneficiary.

21           2. An account holder shall dissolve an account created under par. (b) 1. no later  
22 than 120 months after it is created. The financial institution shall distribute any  
23 funds in the account at dissolution to the account holder.

1           3. If an account holder dies while funds remain in an account created under par.  
2 (b) 1., the account shall be dissolved and the financial institution shall distribute the  
3 funds to the account holder's estate.

4           (e) *Department responsibilities.* The department shall:

5           1. Prepare and distribute any forms that an account holder is required to  
6 submit under par. (c) 3. and any other forms necessary to administer this subsection  
7 and the adjustments to income under s. 71.05 (6) (a) 30. and (b) 57.

8           2. Prepare and distribute to financial institutions and potential home buyers  
9 informational materials about the accounts described in this subsection.

10           **SECTION 1237.** 71.83 (1) (ch) of the statutes is created to read:

11           71.83 (1) (ch) *First-time home buyer savings account withdrawals.* If an  
12 account holder, as defined under s. 71.10 (10) (a) 1., or an account holder's estate is  
13 required to add any amount to federal adjusted gross income under s. 71.05 (6) (a)  
14 30., the account holder or the account holder's estate shall also pay an amount equal  
15 to 10 percent of the amount that is added to income under s. 71.05 (6) (a) 30. The  
16 department of revenue shall assess, levy, and collect the penalty under this  
17 paragraph as it assesses, levies, and collects taxes under this chapter.

18           **SECTION 9337. Initial applicability; Revenue.**

19           (6s) FIRST-TIME HOME BUYER SAVINGS ACCOUNT. The treatment of ss. 71.05 (6) (a)  
20 30. and (b) 57., 71.10 (4) (k) and (10), and 71.83 (1) (ch) first applies to taxable years  
21 beginning on January 1, 2023.”.

22           **209.** Page 374, line 11: after that line insert:

23           “**SECTION 1.** 71.98 (1) (c) of the statutes is created to read:

1           71.98 (1) (c) *Consolidated Appropriations Act of 2023*. For taxable years  
2 beginning after December 31, 2022, division T of P.L. 117-328.”.

3           **210.** Page 374, line 11: after that line insert:

4           “**SECTION 1238.** 71.07 (8b) (a) 5. of the statutes is amended to read:

5           71.07 (8b) (a) 5. “Credit period” means the period of ~~6~~ 10 taxable years  
6 beginning with the taxable year in which a qualified development is placed in  
7 service. For purposes of this subdivision, if a qualified development consists of more  
8 than one building, the qualified development is placed in service in the taxable year  
9 in which the last building of the qualified development is placed in service.

10          **SECTION 1239.** 71.07 (8b) (a) 7. of the statutes is amended to read:

11          71.07 (8b) (a) 7. “Qualified development” means a qualified low-income  
12 housing project under section 42 (g) of the Internal Revenue Code that is financed  
13 with tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4)~~  
14 (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal  
15 Revenue Code, and located in this state; except that the authority may waive, in the  
16 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,  
17 the requirements of tax-exempt bond financing and federal credit allocation to the  
18 extent the authority anticipates that sufficient volume cap under section 146 of the  
19 Internal Revenue Code will not be available to finance low-income housing projects  
20 in any year.

21          **SECTION 1240.** 71.28 (8b) (a) 5. of the statutes is amended to read:

22          71.28 (8b) (a) 5. “Credit period” means the period of ~~6~~ 10 taxable years  
23 beginning with the taxable year in which a qualified development is placed in  
24 service. For purposes of this subdivision, if a qualified development consists of more

1 than one building, the qualified development is placed in service in the taxable year  
2 in which the last building of the qualified development is placed in service.

3 **SECTION 1241.** 71.28 (8b) (a) 7. of the statutes is amended to read:

4 71.28 **(8b)** (a) 7. “Qualified development” means a qualified low-income  
5 housing project under section 42 (g) of the Internal Revenue Code that is financed  
6 with tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4)~~  
7 (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal  
8 Revenue Code, and located in this state; except that the authority may waive, in the  
9 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,  
10 the requirements of tax-exempt bond financing and federal credit allocation to the  
11 extent the authority anticipates that sufficient volume cap under section 146 of the  
12 Internal Revenue Code will not be available to finance low-income housing projects  
13 in any year.

14 **SECTION 1242.** 71.47 (8b) (a) 5. of the statutes is amended to read:

15 71.47 **(8b)** (a) 5. “Credit period” means the period of ~~6~~ 10 taxable years  
16 beginning with the taxable year in which a qualified development is placed in  
17 service. For purposes of this subdivision, if a qualified development consists of more  
18 than one building, the qualified development is placed in service in the taxable year  
19 in which the last building of the qualified development is placed in service.

20 **SECTION 1243.** 71.47 (8b) (a) 7. of the statutes is amended to read:

21 71.47 **(8b)** (a) 7. “Qualified development” means a qualified low-income  
22 housing project under section 42 (g) of the Internal Revenue Code that is financed  
23 with tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4)~~  
24 (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal  
25 Revenue Code, and located in this state; except that the authority may waive, in the

1 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,  
2 the requirements of tax-exempt bond financing and federal credit allocation to the  
3 extent the authority anticipates that sufficient volume cap under section 146 of the  
4 Internal Revenue Code will not be available to finance low-income housing projects  
5 in any year.

6 **SECTION 1244.** 76.639 (1) (e) of the statutes is amended to read:

7 76.639 (1) (e) “Credit period” means the period of ~~6~~ 10 taxable years beginning  
8 with the taxable year in which a qualified development is placed in service. For  
9 purposes of this paragraph, if a qualified development consists of more than one  
10 building, the qualified development is placed in service in the taxable year in which  
11 the last building of the qualified development is placed in service.

12 **SECTION 1245.** 76.639 (1) (g) of the statutes is amended to read:

13 76.639 (1) (g) “Qualified development” means a qualified low-income housing  
14 project under section 42 (g) of the Internal Revenue Code that is financed with  
15 tax-exempt bonds, ~~pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of  
16 the Internal Revenue Code, allocated the credit under section 42 of the Internal  
17 Revenue Code, and located in this state; except that the authority may waive, in the  
18 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,  
19 the requirements of tax-exempt bond financing and federal credit allocation to the  
20 extent the authority anticipates that sufficient volume cap under section 146 of the  
21 Internal Revenue Code will not be available to finance low-income housing projects  
22 in any year.

23 **SECTION 1246.** 234.45 (1) (c) of the statutes is amended to read:

24 234.45 (1) (c) “Credit period” means the period of ~~6~~ 10 taxable years beginning  
25 with the taxable year in which a qualified development is placed in service. For



1 purposes of this paragraph, if a qualified development consists of more than one  
2 building, the qualified development is placed in service in the taxable year in which  
3 the last building of the qualified development is placed in service.

4 **SECTION 1247.** 234.45 (1) (e) of the statutes is amended to read:

5 234.45 (1) (e) “Qualified development” means a qualified low-income housing  
6 project under section 42 (g) of the Internal Revenue Code that is financed with  
7 tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4) (A) of~~  
8 the Internal Revenue Code, allocated the credit under section 42 of the Internal  
9 Revenue Code, and located in this state; except that the authority may waive, in the  
10 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,  
11 the requirements of tax-exempt bond financing and federal credit allocation to the  
12 extent the authority anticipates that sufficient volume cap under section 146 of the  
13 Internal Revenue Code will not be available to finance low-income housing projects  
14 in any year.

15 **SECTION 1248.** 234.45 (4) of the statutes is amended to read:

16 234.45 (4) ALLOCATION LIMITS. In any calendar year, the aggregate amount of  
17 all state tax credits for which the authority certifies persons in allocation certificates  
18 issued under sub. (3) in that year may not exceed ~~\$42,000,000~~ \$100,000,000,  
19 including all amounts each person is eligible to claim for each year of the credit  
20 period, plus the total amount of all unallocated state tax credits from previous  
21 calendar years and plus the total amount of all previously allocated state tax credits  
22 that have been revoked or cancelled or otherwise recovered by the authority.”.

23 **211.** Page 374, line 11: after that line insert:

24 “**SECTION 1249.** 77.51 (3h) of the statutes is created to read:

1           77.51 (3h) “Diaper” means an absorbent garment worn by humans who are  
2 incapable of, or have difficulty controlling their bladder or bowel movements.

3           **SECTION 1250.** 77.51 (3pq) of the statutes is created to read:

4           77.51 (3pq) “Feminine hygiene products” means tampons, panty liners,  
5 menstrual cups, sanitary napkins, and other similar tangible personal property  
6 designed for feminine hygiene in connection with the human menstrual cycle.  
7 “Feminine hygiene products” do not include grooming and hygiene products.

8           **SECTION 1251.** 77.51 (4f) of the statutes is created to read:

9           77.51 (4f) “Grooming and hygiene products” means soaps and cleaning  
10 solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions  
11 and screens.

12           **SECTION 1252.** 77.52 (13) of the statutes is amended to read:

13           77.52 (13) For the purpose of the proper administration of this section and to  
14 prevent evasion of the sales tax it shall be presumed that all receipts are subject to  
15 the tax until the contrary is established. The burden of proving that a sale of tangible  
16 personal property, or items, property, or goods under sub. (1) (b), (c), or (d), or services  
17 is not a taxable sale at retail is upon the person who makes the sale unless that  
18 person takes from the purchaser an electronic or a paper certificate, in a manner  
19 prescribed by the department, to the effect that the property, item, good, or service  
20 is purchased for resale or is otherwise exempt, except that no certificate is required  
21 for the sale of tangible personal property, or items, property, or goods under sub. (1)  
22 (b), (c), or (d), or services that are exempt under s. 77.54 (5) (a) 3., (7), (7m), (8), (10),  
23 (11), (14), (15), (17), (20n), (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46),  
24 (51), (52), (66), and (67), ~~(71), (72), and (73).~~

25           **SECTION 1253.** 77.53 (10) of the statutes is amended to read:

1           77.53 (10) For the purpose of the proper administration of this section and to  
2 prevent evasion of the use tax and the duty to collect the use tax, it is presumed that  
3 tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or  
4 (d), or taxable services sold by any person for delivery in this state is sold for storage,  
5 use, or other consumption in this state until the contrary is established. The burden  
6 of proving the contrary is upon the person who makes the sale unless that person  
7 takes from the purchaser an electronic or paper certificate, in a manner prescribed  
8 by the department, to the effect that the property, or items, property, or goods under  
9 s. 77.52 (1) (b), (c), or (d), or taxable service is purchased for resale, or otherwise  
10 exempt from the tax, except that no certificate is required for the sale of tangible  
11 personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or  
12 services that are exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (15), (17), (20n),  
13 (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46), (51), (52), ~~and (67), (71), (72)~~  
14 and (73).

15           **SECTION 1254.** 77.54 (71) of the statutes is created to read:

16           77.54 (71) The sales price from the sale of and the storage, use, or other  
17 consumption of diapers and feminine hygiene products.

18           **SECTION 1255.** 77.54 (72) of the statutes is created to read:

19           77.54 (72) The sales price from the sale of and the storage, use, or other  
20 consumption of breast pumps, breast pump kits, and breast pump storage and  
21 collection supplies.

22           **SECTION 1256.** 77.54 (73) of the statutes is created to read:

23           77.54 (73) (a) The sales price from the sale of and the storage, use, or other  
24 consumption of gun safes that are specifically designed for the storage of guns, but  
25 not other items used for gun storage, such as locking gun cabinets and racks.

1 (b) The sales price from the sale of and the storage, use, or other consumption  
2 of trigger locks and gun barrel locks.”.

3 **212.** Page 374, line 11: after that line insert:

4 “**SECTION 1.** 71.98 (10) of the statutes is created to read:

5 71.98 (10) <sup>529</sup> ACCOUNTS. For taxable years beginning after December 31, 2022,  
6 section 529 of the Internal Revenue Code, relating to qualified tuition programs.”.

7 **213.** Page 374, line 11: after that line insert:

8 “**SECTION 1257.** 77.54 (56) (a) of the statutes is repealed.

9 **SECTION 1258.** 77.54 (56) (ad) of the statutes is created to read:

10 77.54 (56) (ad) 1. The sales price from the sale of and the storage, use, or other  
11 consumption of a solar power system or wind energy system that produces usable  
12 electrical or heat energy directly from the sun or wind, if the system is capable of  
13 continuously producing at least 200 watts of alternating current or 600 British  
14 thermal units. A solar power system or wind energy system described under this  
15 subdivision includes tangible personal property sold with the system that is used  
16 primarily to store or facilitate the storage of the electrical or heat energy produced  
17 by the system, but does not include an uninterruptible power source that is designed  
18 primarily for computers. The exemption under this subdivision does not apply to  
19 tangible personal property designed for any use other than for a solar power system  
20 or wind energy system described in this subdivision.

21 2. The sales price from the sale of and the storage, use, or other consumption  
22 of a waste energy system that produces usable electrical or heat energy directly from  
23 gas generated from anaerobic digestion of animal manure and other agricultural  
24 waste if the system is capable of continuously producing at least 200 watts of

1 alternating current or 600 British thermal units. A system described under this  
2 subdivision includes tangible personal property sold with the system that is used  
3 primarily to store or facilitate the storage of the electrical or heat energy produced  
4 by the system, but does not include an uninterruptible power source that is designed  
5 primarily for computers. The exemption under this subdivision does not apply to  
6 tangible personal property designed for any use other than for a waste energy system  
7 described in this subdivision.

8 **SECTION 1259.** 77.54 (56) (b) of the statutes is amended to read:

9 77.54 **(56)** (b) Except for the sale of electricity or energy that is exempt from  
10 taxation under sub. (30), ~~beginning on July 1, 2011,~~ the sales price from the sale of  
11 and the storage, use, or other consumption of electricity or heat energy produced by  
12 a product system described under par. (a) (ad).”.

13 **214.** Page 374, line 11: after that line insert:

14 **“SECTION 1260.** 77.51 (11d) of the statutes is amended to read:

15 77.51 **(11d)** For purposes of subs. (1ag), (1f), (3pf), (7j), ~~and (9p), and (17g)~~ and  
16 ss. 77.52 (20) and (21), 77.522, 77.54 (9g), (51), (52), and (60), and 77.59 (5r), “product”  
17 includes tangible personal property, and items, property, and goods under s. 77.52  
18 (1) (b), (c), and (d), and services.

19 **SECTION 1261.** 77.51 (17g) of the statutes is created to read:

20 77.51 **(17g)** “Separate and optional fee” means a fee charged to receive a  
21 distinct and identifiable product if either of the following applies:

22 (a) The fee is in addition to fees that the seller charges for other distinct and  
23 identifiable products sold to the same buyer, the fee is separately set forth on the  
24 invoice given by the seller to the buyer, and the seller does not require the buyer to

1 pay the fee if the buyer chooses not to receive the additional distinct and identifiable  
2 product for which the fee applies.

3 (b) The seller charges a single amount for multiple distinct and identifiable  
4 products and offers the buyer the option of paying a lower amount if the buyer  
5 chooses not to receive one or more of the distinct and identifiable products. For  
6 purposes of this paragraph, the separate and optional fee is the single amount the  
7 seller charges for the multiple distinct and identifiable products less the reduced  
8 amount the seller charges to the buyer because the buyer chooses not to receive one  
9 or more of the products.

10 **SECTION 1262.** 77.52 (2) (a) 20. of the statutes is amended to read:

11 77.52 (2) (a) 20. The sale of landscaping and lawn maintenance services  
12 including landscape planning and counseling, lawn and garden services such as  
13 planting, mowing, spraying and fertilizing, and shrub and tree services. For  
14 purposes of this subdivision, landscaping and lawn maintenance services do not  
15 include planning and counseling services for the restoration, reclamation, or  
16 revitalization of prairie, savanna, or wetlands to improve biodiversity, the quality of  
17 land, soils, or water, or other ecosystem functions if the planning and counseling  
18 services are provided for a separate and optional fee from any other services.

19 **SECTION 1263.** 77.52 (2m) (a) of the statutes is amended to read:

20 77.52 (2m) (a) With respect to the services subject to tax under sub. (2), no part  
21 of the charge for the service may be deemed a sale or rental of tangible personal  
22 property or items, property, or goods under sub. (1) (b), (c), or (d) if the property, items,  
23 or goods transferred by the service provider are incidental to the selling, performing  
24 or furnishing of the service, except as provided in ~~par.~~ pars. (b) and (c).

25 **SECTION 1264.** 77.52 (2m) (c) of the statutes is created to read:

1           77.52 (2m) (c) With respect to services subject to tax under sub. (2) (a) 7., 10.,  
2           11., and 20. that are provided for a separate and optional fee from the planning and  
3           counseling services described under sub. (2) (a) 20., all tangible personal property or  
4           items, property, or goods under sub. (1) (b), (c), or (d) physically transferred, or  
5           transferred electronically, to the customer in conjunction with the provision of the  
6           services subject to tax under sub. (2) (a) 7., 10., 11., and 20. is a sale of tangible  
7           personal property or items, property, or goods separate from the selling, performing,  
8           or furnishing of the services.”.

9           **215.** Page 374, line 11: after that line insert:

10          “**SECTION 1265.** 77.25 (15) of the statutes is amended to read:

11          77.25 (15) Between a corporation and its shareholders if all of the stock is  
12          owned by persons who are related to each other as spouses, as lineal ascendants,  
13          lineal descendants, an uncle and his nieces or nephews, an aunt and her nieces or  
14          nephews, first cousins, or siblings, whether by blood or by adoption, or as spouses of  
15          siblings, if the transfer is for no consideration except the assumption of debt or stock  
16          of the corporation and if the corporation owned the property for at least 3 years.

17          **SECTION 1266.** 77.25 (15m) of the statutes is amended to read:

18          77.25 (15m) Between a partnership and one or more of its partners if all of the  
19          partners are related to each other as spouses, as lineal ascendants, lineal  
20          descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,  
21          first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings  
22          and if the transfer is for no consideration other than the assumption of debt or an  
23          interest in the partnership.

24          **SECTION 1267.** 77.25 (15s) of the statutes is amended to read:

1           77.25 (15s) Between a limited liability company and one or more of its members  
2 if all of the members are related to each other as spouses, as lineal ascendants, lineal  
3 descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,  
4 first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings  
5 and if the transfer is for no consideration other than the assumption of debt or an  
6 interest in the limited liability company.

7           **SECTION 9337. Initial applicability; Revenue.**

8           (1n) REAL ESTATE TRANSFER FEE. The treatment of s. 77.25 (15), (15m), and (15s)  
9 first applies to a real estate transfer return filed on the effective date of this  
10 subsection.”.

11           **216.** Page 374, line 11: after that line insert:

12           “**SECTION 1268.** 71.07 (6e) (a) 6. of the statutes is created to read:

13           71.07 (6e) (a) 6. “Rent constituting property taxes” has the meaning given in  
14 sub. (9) (a) 4.

15           **SECTION 1269.** 71.07 (6e) (b) of the statutes is amended to read:

16           71.07 (6e) (b) *Filing claims.* Subject to the limitations provided in this  
17 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02  
18 the amount of the claimant’s property taxes or rent constituting property taxes. If  
19 the allowable amount of the claim exceeds the income taxes otherwise due on the  
20 claimant’s income, the amount of the claim not used as an offset against those taxes  
21 shall be certified by the department of revenue to the department of administration  
22 for payment to the claimant by check, share draft, or other draft from the  
23 appropriation under s. 20.835 (2) (em).

24           **SECTION 1270.** 71.07 (6e) (c) 3. of the statutes is amended to read:



1           71.07 (6e) (c) 3. If an eligible veteran and an eligible spouse file separate  
2 returns, each spouse may claim a credit under this subsection for property taxes  
3 based on their respective ownership interest in the eligible veteran's principal  
4 dwelling or for rent constituting property taxes based on 50 percent of the total rent  
5 constituting property taxes paid during the taxable year for the eligible veteran's  
6 principal dwelling.

7           **SECTION 9337. Initial applicability; Revenue.**

8           (1) VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT. The treatment of s.  
9 71.07 (6e) (a) 6., (b), and (c) 3. first applies to taxable years beginning after December  
10 31, 2022.”.

11           **217.** Page 374, line 11: after that line insert:

12           “**SECTION 1271.** Subchapter III (title) of chapter 139 [precedes 139.75] of the  
13 statutes is amended to read:

14   **CHAPTER 139**

15   SUBCHAPTER III

16   **TOBACCO PRODUCTS TAX AND**

17   **VAPOR PRODUCTS TAXES**

18           **SECTION 1272.** 139.75 (14) of the statutes is renumbered 139.75 (14) (a) and  
19 amended to read:

20           139.75 (14) (a) “Vapor product” means a noncombustible product ~~that produces~~  
21 ~~vapor or aerosol for inhalation from the application of a heating element to a liquid~~  
22 ~~or other substance that is depleted as the product is used, regardless of whether the~~  
23 ~~liquid or other substance contains nicotine, which may or may not contain nicotine,~~  
24 that employs a heating element, power source, electronic circuit, or other electronic,

1 chemical, or mechanical means, regardless of shape or size, that can be used to  
2 produce vapor from a solution or other substance.

3 **SECTION 1273.** 139.75 (14) (b) and (c) of the statutes are created to read:

4 139.75 (14) (b) “Vapor product” includes all of the following:

5 1. An electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe,  
6 or similar product or device.

7 2. Any cartridge or other container of a solution or other substance, which may  
8 or may not contain nicotine, that is intended to be used with or in an electronic  
9 cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or  
10 device.

11 (c) “Vapor product” does not include a product regulated as a drug or device  
12 under sections 501 to 524A of the federal food, drug, and cosmetic act, 21 USC 351  
13 to 360n-1.

14 **SECTION 1274.** 139.76 (1m) of the statutes is amended to read:

15 139.76 (1m) An excise tax is imposed upon the sale, offering or exposing for  
16 sale, possession with intent to sell or removal for consumption or sale or other  
17 disposition for any purpose of vapor products by any person engaged as a distributor  
18 of them at the rate of ~~5 cents per milliliter of the liquid or other substance based on~~  
19 ~~the volume as listed by the manufacturer and at a proportionate rate for any other~~  
20 ~~quantity or fractional part thereof~~ 71 percent of the manufacturer’s established list  
21 price to distributors without diminution by volume or other discounts on domestic  
22 products. On vapor products imported from another country, the rate of tax is 71  
23 percent of the amount obtained by adding the manufacturer’s list price to the federal  
24 tax, duties, and transportation costs to the United States. The tax attaches at the  
25 time the vapor products are received by the distributor in this state. The tax shall

1 be passed on to the ultimate consumer of the vapor products. All vapor products  
2 received in this state for sale or distribution within this state, except those actually  
3 sold as provided in sub. (2), shall be subject to such tax.

4 **SECTION 1275.** 139.77 (1) of the statutes is amended to read:

5 139.77 (1) On or before the 15th day of each month, every distributor with a  
6 place of business in this state shall file a return showing the quantity, ~~including~~  
7 ~~milliliters in the case of a vapor product,~~ and taxable price of each tobacco product  
8 or vapor product brought, or caused to be brought, into this state for sale; or made,  
9 manufactured or fabricated in this state for sale in this state, during the preceding  
10 month. Every distributor outside this state shall file a return showing the quantity,  
11 ~~including milliliters in the case of a vapor product,~~ and taxable price of each tobacco  
12 product or vapor product shipped or transported to retailers in this state to be sold  
13 by those retailers during the preceding month. At the time that the return is filed,  
14 the distributor shall pay the tax.

15 **SECTION 1276.** 139.78 (1m) of the statutes is amended to read:

16 139.78 (1m) A tax is imposed upon the use or storage by consumers of vapor  
17 products in this state at the rate of ~~5 cents per milliliter of the liquid or other~~  
18 ~~substance based on the volume as listed by the manufacturer and at a proportionate~~  
19 ~~rate for any other quantity or fractional part thereof~~ 71 percent of the manufacturer's  
20 established list price to distributors without diminution by volume or other discounts  
21 on domestic products. The tax does not apply if the tax imposed by s. 139.76 (1m) on  
22 the vapor products has been paid or if the vapor products are exempt from the vapor  
23 products tax under s. 139.76 (2).

24 **SECTION 9437. Effective dates; Revenue.**

1 (1) VAPOR PRODUCTS. The treatment of subch. III (title) of ch. 139 and ss. 139.76  
2 (1m), 139.77 (1), and 139.78 (1m), the renumbering and amendment of s. 139.75 (14),  
3 and the creation of s. 139.75 (14) (b) and (c) take effect on the first day of the 3rd  
4 month beginning after publication.”.

5 **218.** Page 374, line 11: after that line insert:

6 “SECTION 1277. 16.19 of the statutes is created to read:

7 **16.19 Civil legal services for the indigent.** Annually, the department shall  
8 pay the amount appropriated under s. 20.505 (1) (e) to the Wisconsin Trust Account  
9 Foundation, Inc., to provide civil legal services to indigent persons. The Wisconsin  
10 Trust Account Foundation, Inc., shall distribute the amount received as grants to  
11 programs that provide civil legal services to indigent persons, and those programs  
12 may use the grant funds to match other federal and private grants. The grants may  
13 be used only for the purposes for which the funding was provided.

14 **SECTION 1278.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
15 insert the following amounts for the purposes indicated:

	<b>2023-24</b>	<b>2024-25</b>
<b>20.505 Administration, department of</b>		

17 (1) SUPERVISION AND MANAGEMENT

(e) Indigent civil legal services	GPR	A	30,000,000	30,000,000
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19 **SECTION 1279.** 20.505 (1) (e) of the statutes is created to read:

20 20.505 (1) (e) *Indigent civil legal services.* The amounts in the schedule to  
21 provide grants for the provision of civil legal services to indigent persons under s.  
22 16.19.”.

23 **219.** Page 420, line 1: delete lines 1 to 6.

